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REPORT OF THE JOINT LEGISLATIVE COMMITTEE ON MIGRANT LABOR.
NEW YORK STATE LEGISLATURE, ALBANY
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DESCRIPTORS- *MIGRANT WORKERS, UNSKILLED WORKERS, *AGRICULTURAL LABORERS, SEASONAL LABORERS, MIGRANT CHILD EDUCATION, SOCIAL WELFARE, PUBLIC HEALTH, HOUSING, WORKMANS COMPENSATION, ADULT BASIC EDUCATION, FARM LABOR, LAW ENFORCEMENT, LABOR LAWS, STATE LEGISLATION, NEW YORK,

RESULTS OF THE COMMITTEE'S STUDY AND OBSERVATION OF THE SOCIAL AND ECONOMIC IMPACT OF LABOR FORCE IMPORTATION FOR PLANTING, HARVESTING, AND PROCESSING OF FIELD AND ORCHARD CROPS IN NEW YORK STATE ARE REPORTED. MAJOR SECTIONS INCLUDE--(1) TRENDS IN FARM LABOR FOR 1963, (2) PUBLIC HEALTH, (3) SOCIAL WELFARE, (4) LABOR CAMP HOUSING AND SANITATION, (5) LAW ENFORCEMENT, (6) REGISTRATION OF LABOR CAMP CONTRACTORS AND GROWERS, (7) WORKMEN'S COMPENSATION, AND (8) CHILD CARE AND EDUCATION. SOME COMMITTEE RECOMMENDATIONS WERE THAT--(1) THE PERIOD OF USE FOR NONRESIDENT SPECIAL VEHICLE OPERATOR AND REGISTRATION PERMITS FOR SEASONAL FARM LABORERS BE EXTENDED FROM APRIL 1 TO NOVEMBER 30 OF EACH YEAR, (2) STUDY BE CONTINUED CONCERNING THE EXTENSION AND EXPANSION OF WORKMEN'S COMPENSATION, HEALTH INSURANCE, AND UNEMPLOYMENT INSURANCE, (3) THE COOPERATION AND EXCHANGE OF INFORMATION AMONG THE VARIOUS AGENCIES, DEPARTMENTS, AND COMMITTEES WORKING WITH MIGRANT LABOR BE CONTINUED IN THE STATE, (4) EDUCATIONAL OPPORTUNITIES AND THE CHILD CARE PROGRAM FOR MIGRANT CHILDREN BE EXPANDED, (5) THE COMMITTEE, THE DEPARTMENT OF HEALTH, AND OTHER AGENCIES CONTINUE THE STUDY FOR PROPER REVISION OF STANDARDS FOR FARM LABOR CAMP SANITATION, (6) LOCAL MIGRANT COMMITTEES AND MINISTRIES BE ENCOURAGED IN THEIR ASSISTANCE TO MIGRANT FAMILIES, AND (7) LOCAL MUNICIPAL AND CIVIC AGENCIES PREPARE EDUCATIONAL PROGRAMS FOR ADULT OCCUPANTS OF MIGRANT CAMPS. COPIES OF OFFICIAL LETTERS AND LABOR ACTS IN NEW YORK ARE INCLUDED IN THE DOCUMENT. (WB)

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Legislative Document (1964) No. 36

STATE OF NEW YORK

REPORT

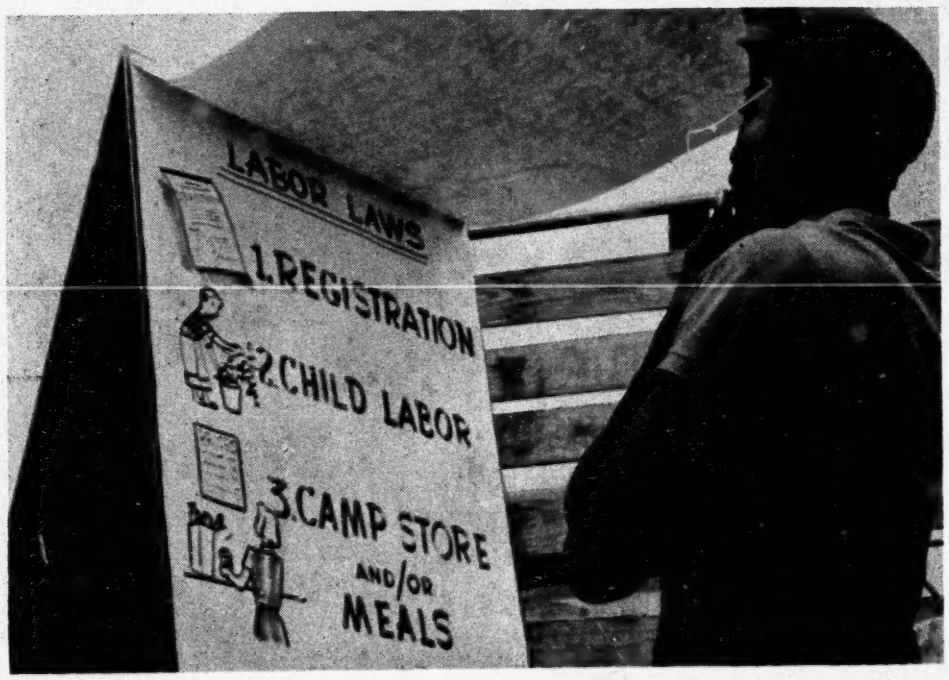
OF THE

JOINT LEGISLATIVE COMMITTEE

ON

MIGRANT LABOR

1964



A worker obtains useful information pertinent to his stay in New York State through methods such as this.

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STATE OF NEW YORK

REPORT

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ON

MIGRANT LABOR

1964

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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LETTER OF TRANSMITTAL

To the Legislature of the State of New York:

Pursuant to concurrent resolutions adopted in the Assembly April 3, 1963 and in the State Senate April 4, 1963, the Joint Legislative Commitee on Migrant Labor respectfully submits this report covering the work of its investigation to and including the present date, March 18, 1964.

ALONZO L. WATERS, *Chairman*
FRANK E. VAN LARE, *Vice-Chairman*
HAROLD I. TYLER
GUY L. MARVIN
JAMES L. WATSON
HARVEY M. LIFSET
FRED J. RATH

PERSONNEL OF THE COMMITTEE

The Committee:

ASSEMBLYMAN ALONZO L. WATERS, *Chairman*
SENATOR FRANK E. VAN LARE, *Vice-Chairman*
SENATOR JAMES L. WATSON, *Secretary*
SENATOR FRED J. RATH
ASSEMBLYMAN GUY L. MARVIN
ASSEMBLYMAN HAROLD I. TYLER
ASSEMBLYMAN HARVEY M. LIFSET

Ex-Officio:

SENATOR WALTER J. MAHONEY, *President Pro Tem,* The Senate
SENATOR JOSEPH ZARETZKI, *Minority Leader,* The Senate
SENATOR ELISHA T. BARRETT, *Chairman, Finance Committee,* The Senate
ASSEMBLYMAN JOSEPH F. CARLINO, *Speaker,* The Assembly
ASSEMBLYMAN GEORGE L. INGALLS, *Majority Leader,* The Assembly
ASSEMBLYMAN ANTHONY J. TRAVIA, *Minority Leader,* The Assembly
ASSEMBLYMAN FRED W. PRELLER, *Chairman, Ways and Means Committee,* The Assembly

Legal:

PAUL I. MILES

Research Director:

MYRTLE Q. PALMER

Field Director:

HARRY N. HAIGHT

NOTE: Senator Ivan Warner appointed January, 1964 to succeed Senator James L. Watson.

RESOLUTION ADOPTED IN THE ASSEMBLY APRIL 3, 1963 AND IN THE SENATE APRIL 4, 1963 EXTENDING THE JOINT LEGISLATIVE COMMITTEE ON MIGRANT LABOR

WHEREAS, the matter of providing adequate labor for farmers, growers, and those generally engaged in agricultural pursuits within the State of New York and the furnishing of labor to the food processing plants during their season of peak employment continues to be a problem; and

WHEREAS, this problem is being met by thousands of migrant workers who come or are brought into New York State each year to assist in the cultivation, harvest and processing of field and orchard crops and in related agricultural pursuits; and

WHEREAS, the selection, housing and conduct of these migrant workers continues to present a real problem and concern to the residents of the areas where the labor camps housing these migrant workers exist, to farmers, growers and those generally engaged in agricultural pursuits, to law enforcement agencies and to the greater part of the migrant workers themselves; and

WHEREAS, a committee of the legislature known as the Joint Legislative Committee on Migrant Labor was created by resolution adopted by the Assembly on March 18, 1952 and by the Senate on March 19, 1952; and

WHEREAS, the said Joint Legislative Committee has been continued to and including March 31, 1963 by resolution adopted by the Assembly on March 30, 1962 and by the Senate on March 30, 1962; and

WHEREAS, it appears that there is a continuing need for specialized study and recommendation to the legislature in connection with this problem, now, therefore, be it

Resolved, that the Joint Legislative Committee on Migrant Labor, created by resolution adopted by the legislature on March 19, 1952 and last continued to and including March 31, 1963 by resolution adopted by the Assembly on March 30, 1962 and the Senate on March 30, 1962 be and the same hereby is further continued with all its powers and duties as presently existing including the power to conduct public hearings within or without the State of New York, take testimony, subpoena witnesses and compel their attendance and the production of books, records, statements, documents, as may be pertinent to the study of the committee, to and including March 31, 1964; and, be it further

Resolved, that the committee shall, on or before December fifteenth, nineteen hundred and sixty-three, submit its legislative proposals, if any, to the Temporary President of the Senate and the Speaker of the Assembly, and, on or before March thirty-first, nineteen hundred and sixty-four, make a report of its activities to the Legislature; and, be it further

Resolved, that the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary, is hereby appropriated from the contingent fund of the legislature for the necessary expenses of such committee, payable on the audit and warrant of the comptroller on vouchers certified and approved by the chairman of the committee in the manner provided by law; and, be it further

Resolved, that so much of the funds heretofore appropriated and reappropriated and remaining unexpended for the use of the said committee be and the same hereby are reappropriated for the use of such committee payable on the audit and warrant of the comptroller on vouchers certified and approved in the manner provided by law.

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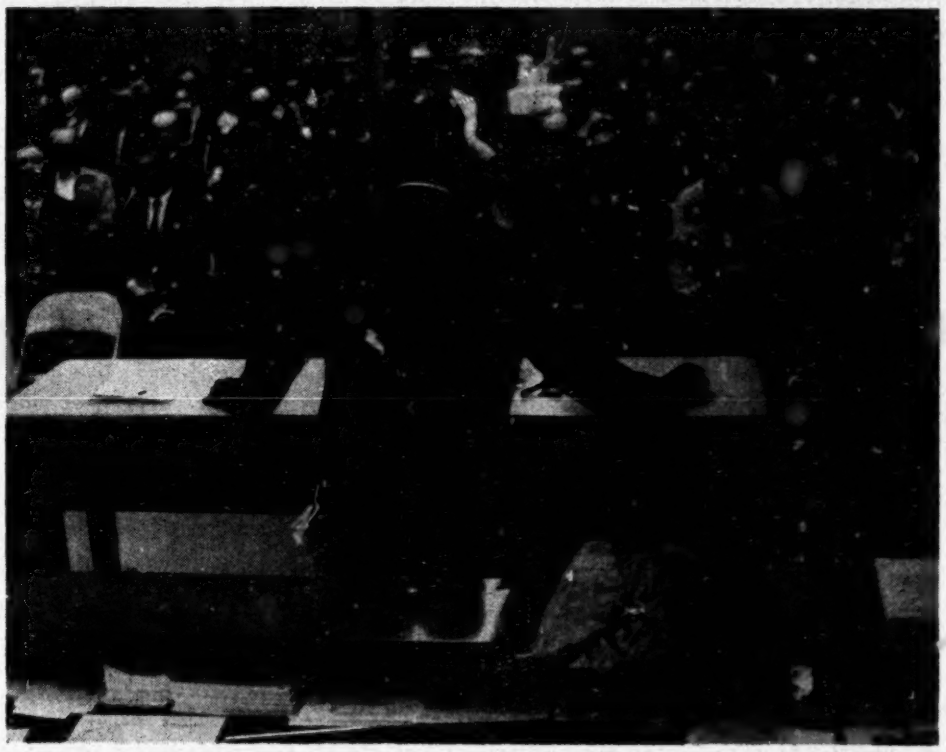
INTRODUCTION

Technological advances in harvesting procedures throughout New York State continue to have an attritional influence on the seasonal work force in New York State. However, agriculture continues to demand the importation of many thousands of migrant workers to assist in the planting, harvesting and processing of the field and orchard crops.

The Joint Legislative Committee on Migrant Labor continued its ninth years of study and observation of the social and economic impact of this labor force importation during 1963. Following its traditional pattern, the committee not alone followed with interest the work of the several State Departments in the discharge of their administrative duties and enforcement procedures, but continued to maintain a vigilant and alert field and research study apart from the activity of the recognized state agencies.

A full-time staff made daily contact with workers, crew leaders, farm owners and operators, county departments and volunteer groups and community leaders. Research was made on programs being made by the federal government and other states on legislative action proposed or enacted which had a bearing on the migrant and his family. This covered such areas as economic benefits which



New York State growers give rapt attention to a review of new directives and legislation at one of several area meetings conducted by the Department of Labor each spring. These meetings are most beneficial in alerting employers to requirements of State mandates in the employment of seasonal farm workers.

would occur through elevation in wages, guaranteed hours of employment and the benefits which accompany compensation insurance coverage and unemployment insurance.

Equally as important to the worker and his family are factors which would improve and elevate their living standards such as improvements in transportation facilities from the home state of the migrant group to the contractual destination; betterments in housing; greater community acceptance; availability of church, cultural and recreational facilities; extended educational opportunities for both the youngsters of school age and the adult members and the information meetings where all might become better acquainted with state and local laws within which framework they must live during their residence here.

These legal requirements are not only designed to protect society in general, but offer many advantages of residence within the state, though temporary, which have been drafted to grant the worker rights and privileges of which many times he is not aware.

The committee has noted a general improvement in the awareness of workers to his rights as afforded by the state over the past decade. This has been brought about largely by the holding of regional meetings by the Department of Labor at which these areas are discussed; and the publication and dissemination of numerous pamphlets which set forth and delineate the laws governing the responsibilities and rights of the workers while resident here.

Also, important in the response by the migrant families to a knowledge of these laws has been the public attention directed to the matter of civil rights. A great part of the seasonal labor force, particularly those who come into the state through the recruitment by the State Labor Department, still continues to be the southern negro.

These pamphlets direct attention to such areas as: "Education and Migrant Children", "Division of State Police", "Public Health Laws", "Child Labor Laws", "Registration of Crew Leaders", "Labor Camp Commissaries", "Farmer-worker Contracts", "Compensation and Liability Insurance Coverage" and several other matters which the migrant worker and his family members should know.

Adding immeasurably to the welfare of the seasonal labor force domiciled in farm labor camps continued to be the Migrant Ministry Program which has expanded each year under the State Council of Churches and other recognized agencies such as Home Demonstration and Home Bureau Units. Through such agencies are not alone the religious and cultural needs of the migrant advanced, but the teaching of handicraft has offered the women an opportunity of improving their home life and been of value in providing after work time occupancy of a self-improvement nature that creates better camp morale.

The committee finds that one of the continuing problems of the farm labor camp is to provide constructive programs for the worker when not occupied in his labor pursuits. Because weather conditions

and lack of crop ripening oftentimes creates many hours of leisure time, many problems are created. The establishment of organized recreation programs and providing camps which house a number of occupants with a means for both indoor and outdoor facilities for leisure time activities is most desirable. Camps provided with such facilities have much less frequency of disturbing factors and law violation reports.

Since its inception the committee has maintained a policy of keeping in close contact with the migrant worker during the entire time that he has been in the state.

Inspections by a member of the field staff of the committee start in many instances before the camp is occupied and they continue until the majority of the camps have closed in the late fall.

It is through this continual on-the-spot observance that we are able to note the progress and effect of the legislative enactments and departmental inspections and enforcements.

During the 1963 season Mr. Harry N. Haight, our field director, travelled approximately 16,000 miles in the performance of his duties and visited 220 camps. He also was in attendance at many conferences and meetings held in the interest of bringing before the workers and growers the migrant labor program of the state.

The committee has found this means of approach to its study of the utmost importance and beneficial to its progress. In the course of these camp visits observation is made not only of the housing, working conditions and other areas of welfare of the migrant and his family, but the overall picture as it pertains to the growers, the crew leaders and the community in general.

It has been a source of disappointment to the committee that no further progress has been made in the federal congress toward the enactment of legislation dealing with the migrant. A uniform pattern of mandates to resolve the problems that beset the seasonal farm worker and his family has long been needed. As we have pointed out before, many of the provisions contained in the federal legislation are now a part of the labor and health laws of New York State. However, many states lag behind in their attitudes. It would be of great assistance in relieving the confusion that now exists and would assist in bringing the seasonal farm and food processing worker into a better social focus were the proposed federal laws enacted.

New York State has several agencies of an administrative and advisory capacity that are continuously alert in carrying out existing laws and directives and giving counsel and advice on proposals made for legislative action. Especially noteworthy are the Interdepartmental Committee on Farm and Food Processing Labor and the Governor's Advisory Committee on Migrant Labor.

Both of these groups have been especially active and helpful to the work of our committee both in inviting us to participate in the deliberations of the groups and in making available to us the records of their findings.

The work of these two agencies in particular has been a large contributor to the success of the advances made in successfully

coping with the many problems that have attended the use of migratory seasonal farm labor over the years. It has not been an easy task as education—and this is in a large measure what it is—does not take place overnight. Continually keeping the employer and employee alert to the realization that good citizenship is a mutual responsibility and comes through understanding and vigilance, is a most valued tool in resolving many situations.

There are a number of problems that still cloud the migrant labor scene. As was pointed out last year, one of the more perplexing is the large number of workers and families who remain over each year to assume full residential status in the state. There has been noted some reduction in the number of "stay-overs" this past year. Contributing to this slackening off are several factors. One is the fact that year-round labor requirements of agriculture have been largely taken care of by the now resident workers. Another has been the lack of job opportunities in other areas of industry in those sections where seasonal farm labor is imported.

A major cause has been the attitudes of the workers themselves, most of whom want to return to the warmer climate for the winter season and the fact that employment in most southern states has improved.

The question of suitable housing for those who do remain through the winter months is still one of concern. As has been pointed out in previous reports, there has been considerable "finger-pointing" at the housing in which these families reside. They are not farm labor camps in the true definition of the State Health Department. They consequently receive no inspection during five to six months of the year. Their occupancy is a mutual landlord-tenant relationship. No rent control prevails. As a result there can be some substantiated claims of excessive rents being charged. This also prevails where commissaries are maintained in connection with camp operation as prices charged for foods and other materials are high.

The only solution to the problem seems to be that as years go by there is a marked improvement in the quality of camps in general and that occupants as a whole are more sensitive to a desire for improved living conditions. The attitude of the public schools is, in a large measure, responsible for this. No semblance of segregation in the schools has been found and, as a consequence, the children of these families are bringing to the home a keener value of higher living standards.

Again we note that when equated with living conditions in urban centers for the same income group class, farm camps, for the most part, compare favorably. Both offer much to be desired in many instances.

The committee feels that while progress has been made, there still remain many segments of the social and economic life of the migrant farm worker to which betterments can be brought. It may be that should a keener competition for this type of labor exist, improvements will be expedited.

In those areas where legislative needs have been evidenced, the state has been sympathetic to the measures presented.

The work of Mrs. Myrtle Q. Palmer, research director, in keeping in close liaison with federal, state and county agencies, as well as with other states where migrant farm workers are employed, is commended. Her research has also extended into activities being carried on by colleges and universities where the subject of migrant labor has been under study.

Governor Rockefeller continues to recognize the needs of this work force in New York State. He has frequently in his addresses to the State Legislature called for action to improve conditions and his requests have been complied with. The committee extends its thanks to the Governor and his administrators for their continued cooperation and interest.

We appreciate the nation-wide interest manifested in our study by the heavy demand for our annual reports. Scores of state agencies and libraries, upon request, have been furnished with our annual reports which have been made a part of their reference works.

The Committee again expresses its thanks for the cooperation that it has received from Governor Nelson Rockefeller, the Interdepartmental Committee on Farm and Food Processing Labor, the Governor's Advisory Committee on Migrant Labor, the several State departments that have an interest in and responsibility for the enforcement of existing laws and directives; the various regional and county groups which cooperated with it during the various field trips and all other agencies during the past year.

The consideration given to Mr. Harry N. Haight, field director, by the growers and state agencies in making available to him any pertinent information needed has continued to be most heartening.

The willingness of the authorities of the several states contacted, as well as federal agencies, to make available to Mrs. Myrtle Q. Palmer, research director, information asked for; and the prompt and valuable response for information requested and placed at our disposal by various college and university personnel is appreciated.

TRENDS IN FARM LABOR FOR 1963

The previously observed trends in agriculture toward more economical and efficient use of land and buildings continued. It has been observed by those in the agricultural field that today one-quarter as many farmers, using one-half as much land, produce one-third more produce than in the year 1900. The more efficient use of land and buildings and the increased availability of mechanized equipment has tended to reduce the requirements for general labor. This also results in a lower labor cost per unit of farm production.

The increased use of mechanized harvesters is apparent, not only in the fields, but in the discussion of plans by many growers. By this time bean pickers have become fairly commonplace and a large portion of the potato crop is harvested by potato harvesters. Apparently vegetable farming has become the first to be more completely mechanized but such progress is seen also in fruit farming. The use of cherry and apple picking machines is somewhat in the future but certainly far beyond the planning stage.

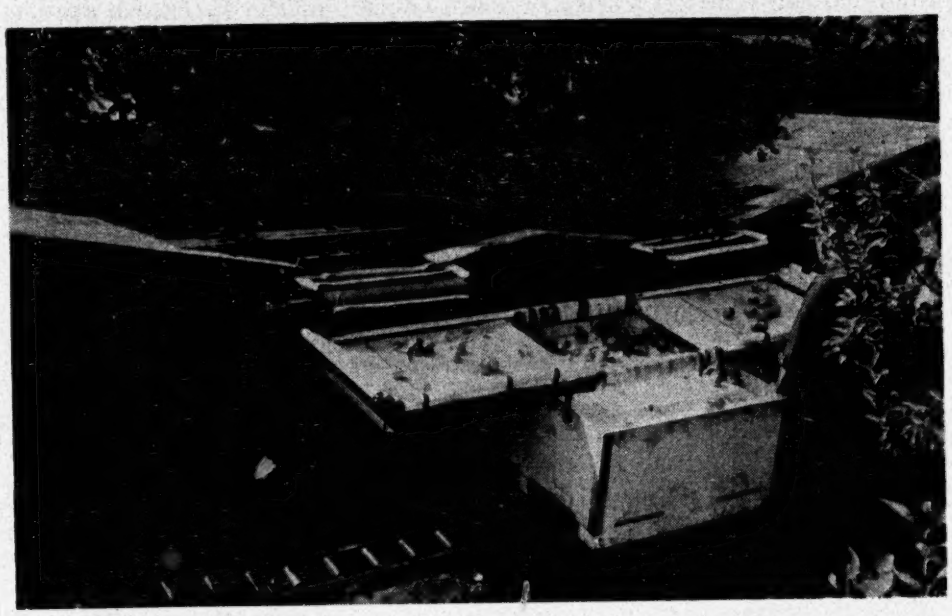
Also, the modern means of bulk handling and storage previously used in other industries is now being seen in agriculture. In both the vegetable and fruit producing areas many growers employ large pallets instead of smaller baskets and hampers. This facilitates handling in the field, transportation and storage and eliminates much of the re-handling of produce.

Many growers are beginning to emphasize high production per acre through new types of seeds, plants and trees. The per acre production in most areas thus seems to follow a rising trend. This naturally reduces the requirement for acreage and tends to lessen the need for planting, maintenance and harvesting labor.

The use of chemical weed killers, sprays, hormone controls and other applications of chemicals tends to control times of planting, maintenance of crops and times and length of harvest seasons. It is easy to see that the advent of new materials in this field tends to make farming more efficient and, as a result, tends to diminish the demand for labor.

In connection with the larger use of mechanized equipment, mass means of handling and storage and the other modern technology available and other factors from time to time point up the necessity for a sufficient number of properly trained laborers. Weather, always beyond the control of the grower, is a prime example of the unknown factors facing agriculture. An example observed this year arose out of a severe wind storm which caused bruises and defects on the cherry crop, thus eliminating the ability to use mechanical cherry pickers. Apparently, the mechanical pickers harvested the crop properly but there was no means of mechanically grading the bulk cherries after harvesting. Therefore, there became an immediate need for cherry pickers who could harvest and sort the cherries at the same time. In such events, the availability of satisfactory labor is a necessity.

New type bean harvester further cuts into need for migrant workers.



The newest of mechanical devices in the harvesting of farm crops is the apple picker. It is expected that these will increase in general usage over the next few years further reducing the need for manual labor.

As previously mentioned, less farm land is in production each year. This reduction seems to be caused by several factors. Urbanization, with its attendant increase in land values and tax assessments, causes the sale of farm lands near metropolitan areas for building lots and industrial sites. This situation is observed particularly in the Long Island area.

In connection with this reduction of acreage, the government on all levels plays a part by assigning lands for parks, roads, recreational facilities and similar public purposes.

Federal acreage controls, including soil bank, has in the past tended to reduce acreage under production. However, many of these controls will apparently be terminated in 1964. Although much of this land is marginal, it is expected that some will be returned to production.

As previously mentioned, weather always affects the need for labor. The late frost in 1963 adversely affected the strawberry and cherry producing areas, thereby somewhat diminishing the demand for labor. Apparently this factor caused some crews to stay out of New York State after having been committed here. It is understood that this did create somewhat of a later shortage of labor, particularly in the Hudson Valley apple area. Also, the excellent weather during the fall harvest season, particularly in western New York, assured the successful harvesting of the crops but it has been indicated that any bad weather during that time would have resulted in losses because of insufficient labor.

These weather factors, together with the rumors of insufficient work arising from them, necessitated the importation of foreign labor. In the Hudson Valley, a large portion of the McIntosh apples dropped on the ground due to the weather and the fact that interstate labor was not available. The importation of foreign labor evidently assisted in the harvest.

Foreign workers have for a number of years been employed in the Champlain Valley fruit area. Consequently, without such foreign labor, the competition for interstate and local labor would disrupt harvesting. At least one large farm operator reports that productivity of foreign labor is much higher than that of either interstate or local labor as is indicated by the following:

EXPERIENCE WITH HARVEST HELP—1963

			Average per person, season	*Average per man day*
LOCAL LABOR				
Hired a total of	305 who picked	74,801 bxs.	245	
Stayed to end season ..	52 who picked	36,897 bxs.	710	
Bonus bushels picked	63,706	85%		
No bonus bushels	11,095			
2,103 Man Days				36
CANADIAN LABOR				
Hired a total of	90 who picked	23,697 bxs.	263	
Stayed to end season ..	16 who picked	12,287 bxs.	768	
Bonus bushels picked	18,981	80%		
No bonus bushels	4,716			
659 Man Days				36
GEORGIAN LABOR				
Hired a total of	23 who picked	14,716 bxs.	640	
Stayed to end season ..	23 who picked	14,716 bxs.	640	
Bonus bushels picked	12,694	86%		
No bonus bushels	2,022			
385 Man Days				38

BAHAMAN LABOR

Hired a total of	140 who picked	145,774 bxs.	1,041
Stayed to end season ..	140 who picked	145,774 bxs.	1,041
Bonus bushels picked	120,270	83%	
No bonus bushels	25,504		
2,874 Man Days			54

This was a perfect season—not one single day's delay because of weather. The average size of fruits was smaller than normal. The harvest was completed in 22 working days—258,988 boxes were picked from the trees. An 8¢ bonus per box was paid for "Bruise Free" apples, within a 10% tolerance—the quality of the work showed some improvement over last season. There is still a wide difference between high and low average per man day pick. The Bahaman average is 50% higher than the local or Canadian picker.

Puerto Rican workers seem to be used on about the same level as in previous years, but mainly in the food processing industry.

All of the above stated factors seem to point out several facts:

1. The increased efficiency in the farm industry affects mainly the interstate worker. The New York State Employment Service indicates a twenty-five percent decrease in interstate labor since 1957.
2. Labor needs to be highly mobile in order to move from job to job and area to area to meet the shifting demands in the agricultural industry.
3. There is an increasing demand for the trained person who can operate the new types of equipment and can fit into the varying methods of planting, maintaining and harvesting crops practiced in this state.

TABLE SHOWING ESTIMATED USE OF MIGRANTS BY COUNTIES

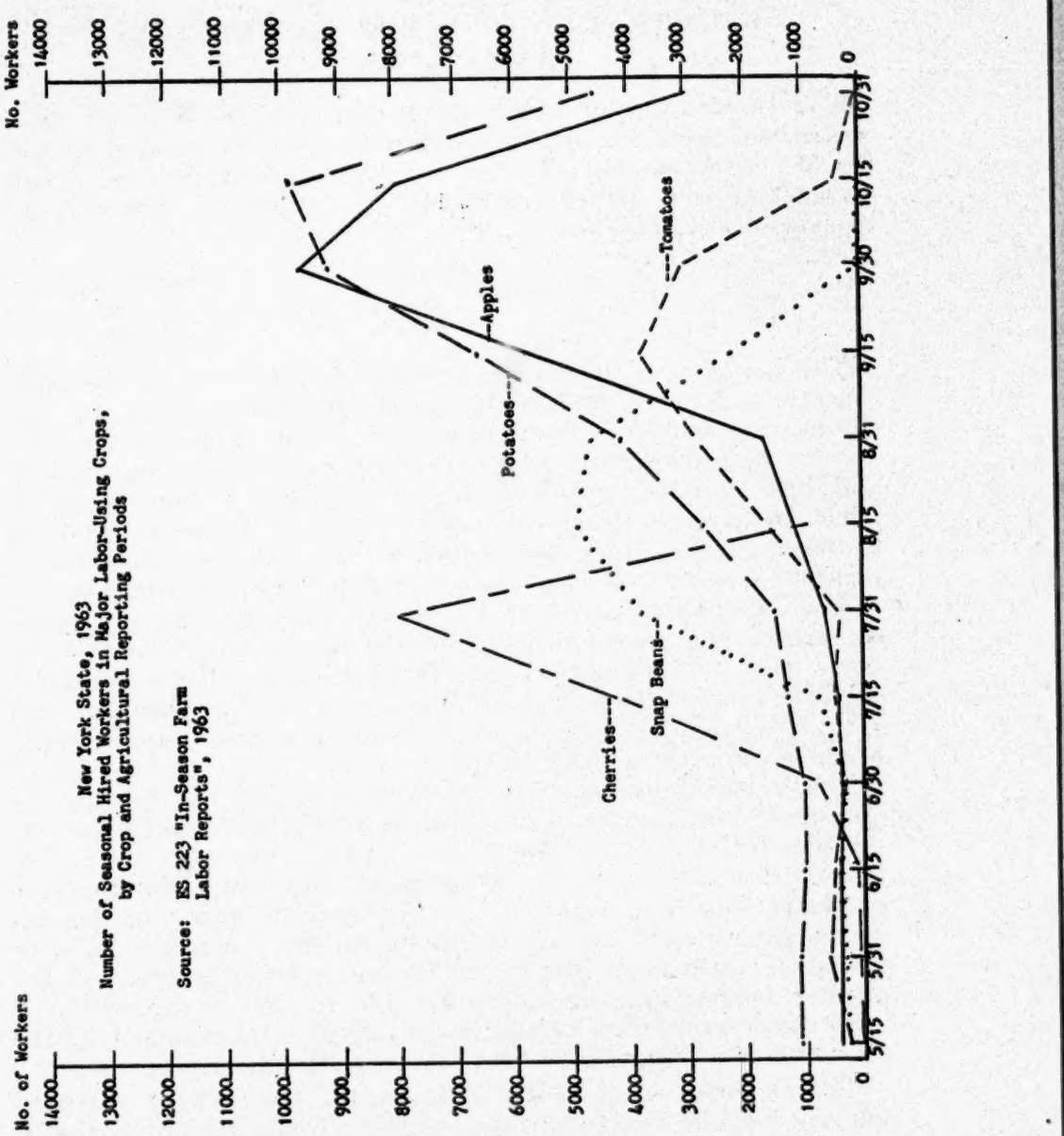
Comparison of 1963-1962-1957

	1963	*1962*	*1957*
Albany	75	60	32
Broome	88	89	165
Cayuga	780	900	2,087
Chautauqua	300	300	275
Chenango	220	461	1,200
Clinton	40	30	25
Columbia	600	875	850
Dutchess	730	850	750
Erie	236	237	400
Genesee	550	650	886
Herkimer	310	410	1,613
Livingston	351	300	600
Madison	87	310	1,650
Monroe	700	700	1,200
Niagara	442	442	405
Oneida	1,150	1,350	3,439
Onondaga	185	215	150
Ontario-Seneca-Yates	325	325	675
Orange	300	300	250
Orleans	3,000	3,500	3,000
Oswego	600	723	546
Otsego	41	55	200
Rockland	75	75	75
Saratoga	30	30	80
Steuben	3,000	2,600	2,750
Suffolk	3,500	3,500	5,300
Ulster	1,500	1,930	2,200
Wayne	3,350	3,700	3,100
Wyoming	925	920	800
	23,490	25,837	34,748

Indications were received in 1963 that there would be substantial acreage in the central part of New York State devoted to growing of sugar beets. A pilot project has been successfully completed. We are informed that about 30,000 acres will be considered for planting with the thought that about 20,000 acres will actually be under cultivation and that the Pepsi-Cola Company plans to spend about twenty-two million dollars for sugar refining facilities. These factors should substantially affect the need for farm labor in the central New York area and may tend to even out the demand over the summer for labor for weeding, blocking and like activities.

The possible closing of the government facilities at the Rome Air Base and at Prattsburg may make more local labor available for agriculture in this area.

We are advised that the present Federal contract with Mexico for the importation of Mexican labor into the United States may not be allowed after 1964. It is assumed that in such event, the California growers, large users of Mexican Nationals, will contact the same sources of interstate labor as used by New York State. This would affect the southern interstate migrant as well as the



Puerto Rican laborers. It is understood that some California growers are considering mass air transportation of workers directly from Puerto Rico.

These factors will naturally be considered by the Farm Placement Service of the New York and Federal Departments of Labor in their planning and recruitment activities. Also, it is suggested that the New York State agricultural industry will need to place itself in a more advantageous position to compete for the needed seasonal farm labor.

REGISTRATION OF LABOR CONTRACTORS AND GROWERS

The Department of Labor states that during 1963, 397 labor contractors were issued 769 certificates authorizing their services for 588 growers. Also, 359 growers or processors not employing contractors were issued certificates. A comparison with the last two years is as follows:

Year	*Growers*	*Labor Contractors*
1962	646	549
1961	554	588

The issuance of the larger number of certificates to the labor contractors was required as a result of legislation enacted last year calling for certificates for each grower served. Although the total number of certificates issued to contractors is larger than in 1961 and 1962, it is felt that this does not indicate a larger usage of labor. In fact, the figures previously stated in this report indicate to the contrary. It is therefore assumed that some of the contractor certificates were duplicates and that some were not fulfilled.

Some complaints have been received by the Department of Labor concerning the requirements for countersigning certificates when crews move rapidly and are used for short times by other than the original grower. These requirements were enacted into law last year. However, the Department of Labor indicates that the situation is being satisfactorily handled.

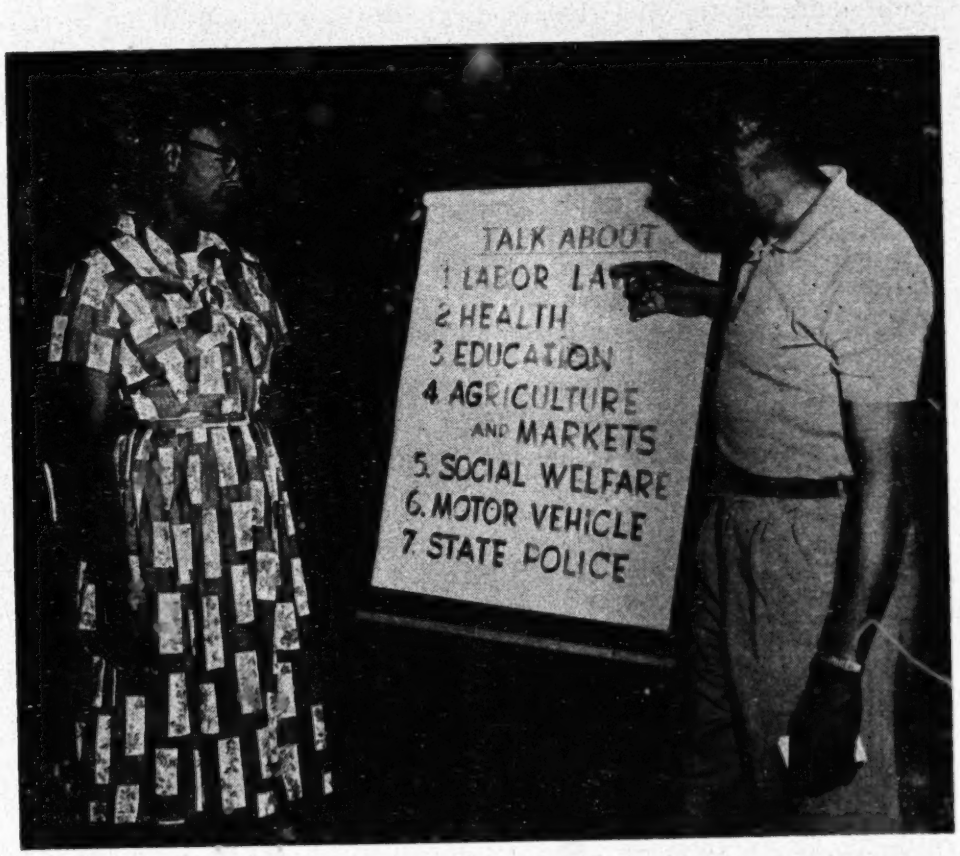
The Labor Department further indicates that the existing requirement for fingerprinting continues to be effective but that some growers feel that a few good crew leaders have not returned to New York State due to this requirement. Some problems continue to result from the fingerprinting requirement. One example involved the refusal to certify an applicant whose fingerprints, after processing, disclosed that he had been previously arrested for murder, manslaughter and other felonys. In spite of the refusal to issue this certificate, a certificate was apparently obtained by the crew leader's wife who had no previous criminal record.

The Department of Labor indicates that there were 289 commissary permits issued by them in 1963. The law requires that a permit be obtained before a camp commissary can be operated and that this permit, as well as prices, be posted on the commissary premises. The statistics indicate that there has been a decline in the number of camp commissaries in the last three years. There were 372 permits issued in 1961, 243 permits in 1962 and 289 permits in 1963. This tends to follow the other figures in this report indicating that fewer interstate laborers are coming into New York State each year.

The Labor Department further indicates that about 3,900 inspections of camps were made covering approximately 29,000 employees. They indicate that there were 89 calendar hearings conducted in 1963 which was a drop from 154 conducted in 1962; 620 of these hearings concerned the issuance, denial or revocation

of registration certificates or commissary permits. The balance concerned child labor violations, payroll violations and other violations of the labor laws. In addition, 26 violations were recorded by growers or processors who did not employ labor contractors. No prosecutions were undertaken in 1963 but 29 contractor registration applications were denied and one revoked and 15 commissary applications were denied. Also, a drop in child labor violations was noted from 69 in 1962 to 36 in 1963.

In order to meet many of the problems and to give information to migrants, the Interdepartmental Committee on Farm and Food Processing Labor, using personnel of the Labor Department, inaugurated a farm labor education program which had been tried on a pilot basis in 1962. In 1963, 128 camps were visited by four specially trained teams making presentations describing the rights and duties of migrants under the laws of the State of New York. Figures indicate that 5,699 workers attended these meetings and that this program gave an opportunity to answer many questions and head off some of the problems normally encountered. The presentation was as follows:



Workers are continually being informed of their rights and obligations as seasonal farm workers by a program of information centers established in most well-regulated camps throughout the State.

Area	*No. of Camps*	*No. of Workers*
Rochester	32	1,018
Utica	20	905
Binghamton	41	1,984
Long Island	27	1,579
Hudson Valley	8	213

It is suggested that the Interdepartmental Committee continue and possibly expand this farm labor education program and that perhaps the Department of Health be requested to cooperate so that additional information might be made available concerning camp housing and sanitation.

PUBLIC HEALTH

The Department of Health indicates that a total of thirty-one and one-half man hours of nursing time was provided in migrant camps in the summer of 1963. The total number of visits to individuals was 3,670 and visits to crew leaders, owners and community agencies were 3,140. It is shown that somewhat fewer visits were made to individuals than in 1962, but this is perhaps accounted for by the fact that medical clinics were conducted in the Utica District and in Cayuga County. They assert that the public health nursing services were well received by the migrants and that in some instances further diagnostic work and medical follow-ups were accomplished at clinics and hospitals. Where the migrants had neither the transportation nor money to provide it, the public health nurses arranged for transportation to the hospitals and for the costs of tests, treatments and medications in conjunction with the local welfare officials. Health cards were given to migrants and it is hoped that these will be carried by them in the future to assist other nurses, clinics and medical facilities here and in other states.

NURSING VISITS, 1963
BY CATEGORIES OF SERVICE

Total visits to camp owners, crew leaders, other camp workers, and community agencies	3140
Breakdown of Visits	*No. of Visits*
Antepartum	365
Postpartum	109
Health Guidance	2002
Tuberculosis Cases	41
Tuberculosis Contacts	25
All Other Communicable Diseases	136
Arthritis and Rheumatism	27
Anemia	16
Cancer	15
Cardiovascular	50
Cerebral Accident	11
Diabetes	33
Other Neuro, etc. Disorders	56
Other Non-C.D.	771
Mentally Retarded	6
Psychiatric and Mental Disorders	7
	3670

The Department of Health indicates that there were no unusual incidents of communicable diseases among the migrant workers.

The Orleans County Migrant Health Project was conducted under the sponsorship of the Health Association of Orleans County, Inc., and was directed by the State District Health Officer at Lockport. Family Health Service Clinics were conducted under this project at the Coloney Camp, Lyndonville Presbyterian Church, Holley Presbyterian Church and East Gaines Baptist Church. A total of 23 clinic sessions was held, lasting about 2¼ hours per session, with an average of 12 patients attending per clinic. Two hundred and one patients made 278 visits. Fifty-one of the clinic visits were for immunization only. Five patients seen at the clinics were referred to a private physician for care which could not be provided at the clinic. Fourteen additional referrals were made by the public health nurse.

The Suffolk County Department of Health conducted a screening clinic program with county funds and State aid for migrant workers. During a three-month period weekly clinics were held at the county health department for chest x-ray examinations, blood serological testing and poliomyelitis immunizations. A total of 603 persons attended these clinics, of whom the majority (517) were males. Follow-up activities were required for 41 persons as a result of the chest x-ray program. Of these, four were hospitalized at the tuberculosis hospital. Blood serology reports were received on 536 persons. Of 46 positive reactors there were four early latent and 31 late latent syphilis cases of whom nine were treated. Twenty-six had previously been adequately treated. Treatment was also provided for 12 gonorrheal infections. Planning is proceeding in connection with the migrant health program for 1964. Conferences have been held with representatives of the U. S. Public Health Service with reference to an application for a Migrant Health Service grant.

In Wayne County pediatric clinics were conducted for children of migrant workers. Twenty-two clinic sessions were held of which three were for immunizations only and 19 for sick or well children. At the pediatric clinics, 273 persons made 331 visits. An additional 331 immunizations were performed. Ten children and one adult were referred to the health department or other agency for additional examination or consultation.

The Cayuga County Health Department conducted a migrant health service program supported by county and state funds, with some federal Children's Bureau financial assistance. Under this program, 20 children's clinic sessions were conducted by Dr. William Bergstrom at King Ferry Camp; ten family health service clinics were held by Dr. Donald C. Samson at the same camp. Each of these physicians is a member of the professorial staff of the Upstate Medical Center at Syracuse. In addition, eight prenatal clinics were scheduled at the Auburn Memorial Hospital. A medical student Junior Public Health Interne was appointed to administer and coordinate the various aspects of this program. The cooperation of the County Medical Society was obtained. The

County Public Welfare Commissioner assigned a case-worker to assess welfare eligibility of migrants in need of more extensive medical care. Hospital care was authorized at the Upstate Medical Center Hospital when such care was necessary.

Blood testing activities were conducted by the Venereal Disease Control Section and the Field Program Representatives in several health jurisdictions in the state. The most intensive testing took place in the Utica State Health District. Blood samples taken from 871 persons within an eight-day period were examined for syphilis. In most other areas blood testing activities were conducted at a much less rapid pace.

Blood testing activities took place on week nights when the workers had returned from the fields. In most camps facilities are not adequate for such undertakings. As a result, the blood testing activities were usually conducted under difficult conditions.

SUMMARY OF MIGRANT BLOOD TESTING ACTIVITIES FOR 1963

	Total Upstate N.Y.	*Buffalo Region*	*Rochester Region*	*Syracuse Region*	*Suffolk County*
Persons Tested	2309	275	177	1321	536
Reactions	178	15	15	102	46
Persons Examined ...	135	15	15	70	35
Diagnoses:					
Early Syphilis ..	21	2	2	13	4
Other Syphilis ..	114	13	13	57	31

In line with educational services previously mentioned, the Public Health Department employed two persons for health education services in the migrant labor program. These persons have had the same assignment for six years and the department notes that the continuity of health education resulting is gratifying. These educational services consisted of counseling with workers and their families, showing of health films, answering of questions and general health and personal sanitary programs. These health educators also did their best to encourage parents to send children to child care centers, public health clinics and summer schools. It is felt that such public health educational services are of great value, not only to the migrant, but as a liaison between the state agencies, the local growers and crew leaders and to the migrant population.

Representatives of the Upstate Medical Center at the State University of New York at Syracuse indicate that the clinics for migrant workers were continued throughout 1963. These clinics were apparently carried out not only in the Medical Center, but in the various counties within a radius of sixty miles from the Medical Center at Syracuse. Such clinical services accomplish much in the way of both prevention and curing of diseases in the migrant family and, further, offers an opportunity for education of the doctors, students, interns and nurses involved. It is understood that financing for such programs might be available from a combination of federal and state public health grants. The personnel and facilities are apparently available and it is a matter

of coordinating all of the possibilities. Great credit should be given to Dr. William H. Bergstrom, Professor of Pediatrics at the Upstate Medical Center, for his work in initiating and sustaining this program. As has been previously stated in these reports and is pointed out elsewhere, clinical services of this nature can be made available in other parts of the state served by medical schools and teaching hospitals. It is felt that further study should be given and cooperation encouraged by the New York State Department of Health and the federal health agencies and the various medical centers and teaching hospitals in all of the areas in New York State where migrants are found. It is hoped that such cooperative efforts will result in an expansion of these programs.

The letters on pages 65, 66 and 67 from Dr. Bergstrom and Dr. Samson set forth some interesting information relative to their work during the past season.

LABOR CAMP HOUSING AND SANITATION

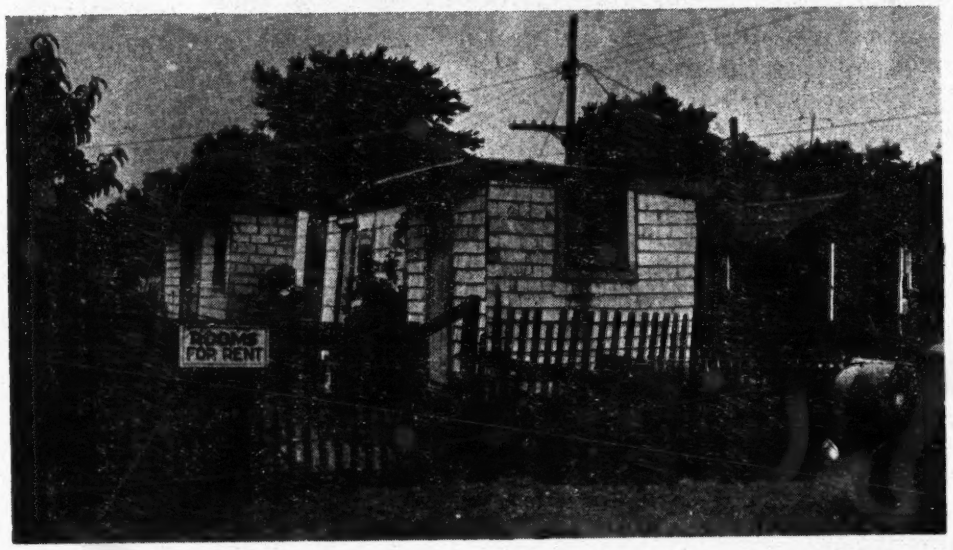
The State Department of Health indicates that there were 815 farm labor camps under permit in 1963. The state law requires that any farm labor camp housing five or more nonresident seasonal farm laborers shall meet certain standards as set forth in Chapter 15 of the State Sanitary Code. Also, these camps must be inspected by public health officials prior to the issuance of permits and at various times during occupancy.

There was a decrease of 108 camps under permit from 1962.

Improvement has been observed in housing facilities with a tendency toward sturdy frame fire-resistant structures and concrete block buildings. As described in this committee's 1963 report, a schedule has been adopted for the erecting of fire-resistant buildings for sleeping quarters. The Department of Health states that this schedule is being followed and that those camp owners not able or willing to conform to the regulations are closing their camps or consolidating with camps having proper facilities.

No serious fires were noted in seasonal farm labor camps in 1963. A fire involving a number of colored people in the Town of Phelps, proved to be in a year-round occupied dwelling and not a seasonal farm labor camp. Two deaths reported in Prattsburg resulted from the apparent explosion of an improper oil stove in a small camp housing four people. This did not fall within the legal definition of a farm labor camp under the jurisdiction of the State Department of Health and, therefore, no inspections were required and no penalties could be assessed.

The Department of Health states that a study is being conducted concerning deaths due to carbon monoxide and other similar hazards. Although this will be of great interest in connection with seasonal farm labor camps, the study is not complete and will not be available until later in 1964.



Dwellings occupied by those who have left the migrant flow and become permanent residents of the State are of growing concern. They are generally confused with farm labor camps but are not subject to regulation by the State Health Department. The above is a typical example of homes occupied by permanent residents.

MOTOR VEHICLES AND LICENSES

Under current provisions of the Vehicle and Traffic Law, a nonresident seasonal farm laborer may secure a seasonal permit for the period beginning June 1 and ending November 1 in any permit year for his motor vehicle upon submitting evidence of satisfactory insurance and upon payment of a $2.00 permit fee.

The Vehicle and Traffic Law also provides that a nonresident seasonal farm laborer may secure for the same period of time and upon payment of the same fee, a permit to operate a motor vehicle providing the applicant is presently employed, is at least 18 years of age and possesses a valid driving license issued by his home state.

Due to the fact that many migrant laborers arrive in New York State prior to June 1, because of earlier planting seasons in some areas, requests have been received to make the permit period more closely correspond with the actual presence of migrants in the state. Therefore, there have been submitted to the Legislature two bills whereby the permit period would commence April 1 and end November 30 in the year of issuance. Your committee respectfully recommends the passage and enactment of these bills into law.

Discussion has been heard in some areas of the state of possible unauthorized use of migrant vehicles under temporary permits for the hauling of produce to market. The intent of the permit statutes is clearly to allow the use of migrant vehicles and to extend the opportunity to migrants to drive the vehicles for the purpose of getting from place to place within the state without the necessity of paying large registration and license fees. It was not the intent of these statutes to authorize the use of vehicles for hire in the hauling of persons or property.

The cases of unauthorized use of vehicles may have occurred in instances where produce must be trucked to processing plants and there wait in fairly long lines to be inspected and unloaded. In these instances, it is understood that the use of the migrant vehicles was necessary to insure timely presentment of the crop to the processor under circumstances where other vehicles were not available. It is suggested that these situations be more closely investigated and that the Bureau of Motor Vehicles clarify their position in the rules and regulations under the permits statutes. It is further suggested that the document entitled, "Summary of Rules, Regulations and Laws That Affect Seasonal Farm and Food Processing Workers and Their Employers in New York State", as published under the editorship of the Interdepartmental Committee on Farm and Food Processing Labor, be revised to more completely set forth the vehicle and traffic regulation.

LAW ENFORCEMENT

In past years the New York State Police have caused most of the farm labor camps to be inspected. These inspections were made in addition to those normally conducted by the New York State Department of Labor and the New York State Department of Health. They report that due to manpower restrictions and regulations, the state police found it necessary to discontinue their overall inspections during a large part of the year 1963. This curtailment of inspections, however, did not affect those inspections made by either the Labor or Health Departments and the state police held themselves in readiness for any special occurrences, law violations and specific requests for inspection.

The following arrests and the reasons therefor have been reported for the year 1963:

Alcohol—Selling w/o License	2
Assault—Felony	27
Assault—Misdemeanor	51
Burglary	6
Disorderly Conduct	23
Fugitive	1
Larceny—Felony	2
Larceny—Petit	16
Malicious Mischief	1
Manslaughter	1
Murder	2
No Health Permit	1
Public Intoxication	54
Rape	2
Robbery	3
Public Safety	9
Vehicle and Traffic	292
Forgery	1
Material Witness	3
Vagrancy	1
Total	498

The total arrests for the year 1963 is substantially less than the 738 arrests reported for the year 1962. This is undoubtedly due to several factors, not the least of which is the smaller number of migrants employed in the state in the year 1963, the more continuous employment available, and the general increased awareness by the migrants of the provisions of our laws.

It will also be noted, as has been previously stated in this report, that the New York State Department of Labor made approximately 3900 visits to camps covering some 29,000 employees. Also, the Department of Labor conducted 89 calendar hearings and noted 36 child labor violations. The Department of Labor indicates that the number of calendar hearings, child labor violations and payroll violations were substantially less than in 1962.

The New York State Department of Health joins in the report that there were fewer camps to be inspected and somewhat fewer violations observed in the year 1963.

It is apparent from these facts that law enforcement still is an important facet to the employment of migrant laborers in our agricultural economy. However, it is further apparent that the enforcement of our existing laws is relatively well in hand and seems to be causing no insurmountable difficulty to any of the enforcement agencies.

SOCIAL WELFARE

As has been stated in previous reports of this committee, the social welfare figures for the state costs for non-seasonal farm laborers are not available until one year after the end of the year in question. This period of time allows the local district to make application to the state for reimbursement. The following table sets forth the 1962 costs of migrant aid by type and district:

COSTS OF MIGRANT AID, BY TYPE AND DISTRICT

County or PW District	*Hospital*	*Burial*	*Medical*	*Other*	*Total*
Cayuga	$ 17,442.85	.....	$2,940.48	$ 278.01 OAA 368.54 HR	$ 21,029.88
Chautauqua	793.08	.....	.....	.....	793.08
Chenango	447.15	.....	165.50	35.00 ADC	647.65
Columbia	2,709.28	.....	.....	50.00 Removal	2,759.28
Genesee	4,878.44	.....	1,118.50	1,114.34 HR	7,111.28
Herkimer	1,461.98	.....	399.70	209.34 HR	2,071.02
Livingston	772.88	.....	127.78	207.27 HR	1,107.93
Madison	886.91	.....	478.50	.....	1,365.41
Monroe	7,465.64	$ 250.00	39.06	95.09 ADC 341.58 AB 899.22 HR	9,090.59
Oneida	16,060.32	.....	285.00	.....	16,345.32
Ontario	507.89	.....	186.00	.....	693.89
Orange	2,344.26	.....	403.00	25.65 HR 166.85 AD 186.96 Co. Hom.	3,126.72
Orleans	2,493.23	.....	139.50	57.57 ADC 746.04 HR	3,436.34
Oswego	1,255.25	.....	279.25	.....	1,534.50
Seneca	248.13	250.00	20.50	.....	518.63
Steuben	10,973.78	250.00	1,219.40	296.71	12,739.89
Suffolk	7,374.70	.....	133.66	157.75 Transp. 420.79 HR	8,086.90
Ulster	1,817.00	.....	.....	107.48 Co. Hom.	1,924.48
Wayne	27,237.04	1,003.00	1,192.08	2,746.17	32,178.29
	$107,169.81	$1,753.00	$9,127.91	$8,510.36	$126,561.08

$7,034.07 HR
278.01 OAA
187.66 ADC
207.75 Removal
166.85 AD
294.44 Co. Hom.
341.58 AB

$8,510.36

The following table sets forth the numbers of migrants receiving aid by type and district:

NUMBER RECEIVING AID, BY TYPE AND DISTRICT

County or PW District	*Hosp. Only*	*Hosp. & Med.*	*Hosp. Med. & Other*	*Hosp. & Other*	*Med. Only*	*Med. & Other*	*Burial Only*	*Other*	*Total*
Cayuga	7	49	2	..	2	..	..	3	63
Chautauqua ..	2	..	..	..	..	..	..	..	2
Chenango	..	3	..	..	..	..	..	2	5
Columbia	16	..	..	..	..	..	..	1	17
Genesee	7	16	..	2	..	..	..	14	39
Herkimer	..	6	..	1	..	..	..	..	7
Livingston ...	..	2	1	..	..	..	..	1	4
Madison	1	8	..	..	..	..	..	..	9
Monroe	17	2	..	1	..	..	1	32	53
Oneida	39	2	..	..	..	..	..	..	41
Ontario	1	5	..	..	..	..	..	..	6
Orange	3	8	1	..	..	..	..	1	13
Orleans	2	2	2	2	..	..	..	9	17
Oswego	2	7	..	..	..	..	..	..	9
Seneca	..	..	..	..	..	..	..	1	1
Steuben	4	11	1	..	1	..	1	8	26
Suffolk	30	3	..	1	2	..	..	6	42
Ulster	7	..	..	1	..	..	..	..	8
Wayne	56	3	3	4	1	3	8	22	100
Totals ...	194	127	10	12	6	3	10	100	462

A study of the above figures in respect to the four-year period from 1959 through 1962 indicates a trend toward a smaller number of cases in fewer districts. This trend does not seem to follow as strongly concerning the size of expenditures. These facts can be observed from the following table:

Year	*Districts*	*Cases*	*Expenditures*
1959	28	552	$135,231.27
1960	24	518	137,698.05
1961	25	500	124,663.12
1962	19	462	126,561.08

Undoubtedly the cost of the migrant aid is mainly accounted for by the hospital, doctor and medical costs. The fact that these costs continue to rise for individual cases would tend to explain the fact that the overall cost picture has not decreased at the same rate that the number of cases has lowered.

As mentioned in other portions of this report, other factors may tend to assist in diminishing these hospital and doctor costs and it is possible that the future may hold the possibility of further decrease. The first factors to consider are those of the proposed increased use of public nursing and public health facilities for clinical purposes together with the possible augmenting of the hospital and clinic work in hospitals, medical schools and other medical and teaching institutions in the migrant areas. It is felt that an expansion of the use of these medical facilities might tend to eliminate from the local welfare districts responsibility for paying for needed hospital, medical and clinical care. Your committee suggests that expansion of these facilities and increased usage of the facilities be

studied and carried out whenever and wherever practical. The second factor to be considered is the possibility of extension of workmen's compensation benefits to agricultural laborers. In the event such insurance protection is extended, it seems possible that some of the hospital and medical costs arising out of agricultural accidents would be covered under the insurance programs and would therefore not fall upon the local welfare districts.

It has been noted that in several areas, for example in the Oneida area, some attempt has been made at removing resident welfare recipients from the welfare case load by employing them as seasonal farm laborers. Some indication has been received that this temporarily took a number of people from the welfare files and, in some instances, the recipients never returned to the welfare office. Few statistics are available to determine whether this actually benefited the farmers, but your committee certainly feels that an extension of these work-relief programs be encouraged wherever and whenever possible.

IMPACT OF MIGRANT WORKERS ON COUNTY DEPARTMENTS AND AGENCIES

A continued study has been made this year as to the number of migrant workers who remain in New York State after the end of the harvest season. The purpose of this study is to determine whether or not the number has increased and what demands are made on the various welfare departments in the areas where the workers are housed, if they do remain.

The following information was obtained from the welfare departments affected:

Allegany County: There is no record of any migrant workers who remained in this county after the harvest season of 1962. Temporary assistance was granted to one camp for a one or two week period following the regular harvest time while part of the crew was being held for Grand Jury action arising from a serious automobile accident case.

Cattaraugus County: A survey in this county reveals that there were no "stay overs" during the past year. Requests for assistance from the seasonal workers are so few that no control records are kept on them. It is always for medical care and practically never more than one or two requests in a season.

Cayuga County: The migrants who come to this county to work a season and then decide to stay over the winter almost invariably stay in the cities of Auburn and Ithaca. Since Ithaca is out of this county and Auburn has its own welfare department, these cases do not come under the jurisdiction of the county welfare department. South of Auburn, within the county, only one migrant in the memory of the department has stayed over and that was several years ago. North of Auburn, only one migrant stayed over and this was in conjunction with working in potato processing which should

have lasted well into the next spring and it was only by chance that the particular person needed assistance from the department. At some period of time, several migrant families have settled in the area north of Auburn but they are self-supporting and need, at most, only occasional assistance with medicals.

Chemung County: There are no organized migrant labor camps in this county. Each year there are three or four migrant cases but they do not seem to be on the increase. These persons usually have come from the Wayne or Steuben County areas. Occasionally they have tended to settle here, but for the most part they are passing through on their way south, as this area is on one of the direct routes. For the few who have settled here, their needs are usually for basic maintenance. Those who are passing through usually have an emergent need such as overnight lodging, a meal, or their transportation has broken down and they are asking for assistance to have the vehicle repaired, or, in some cases, it is a request for a tank of gasoline. These cases are not considered to be a problem.

Chenango County: There is no record of migrants, either individuals or families, who remained in the county over the winter months. All apparently moved on to other areas for fruit picking or the harvesting of other crops after the season closed in this vicinity. The crops were not up to par in 1962, and because of this, the migrants did not fare too well. Many left the area much sooner than usual. They were offered the special surplus foods made available to them, but the offer was refused by the chaplain of the camp and the camp leaders. They contended such hand-outs would hurt the work habits of the group, give them more money to spend on drink, etc., and only be an encouragement for them to stay on after their usefulness as crop harvesters had ceased.

Columbia County: No record of the number of seasonal workers who remained in the county after the harvesting season is available. However, there have been the usual number of cases referred by the local hospital dealing with the various ailments of these people who have no way of paying for this expense.

Cortland County: There have been no migrant laborers housed in this county during the past few years. There have been no requests for assistance from any workers who may have remained during the winter. However, during the fall of 1962, there was one request from a group of migrant laborers who lived in Onondaga County but so close to the Cortland County line that they did not know what county they resided in until informed by the department. They worked for a grower and the crops were very poor, making their wages just about enough to keep them while they were working. The grower gave them additional money to return to Florida.

Dutchess County: The migrant worker situation in relation to welfare is about the same as in previous years. In season, an occasional application is received for temporary hospital care due to

Saturday night altercations among the workers. No workers remained in the county after the season during the past year.

Erie County: Eleven applications for public assistance by migrant workers were received between July, 1962, and December, 1962. Of these, five remained as active cases during the winter of 1963. Two were single men who applied due to illness and disability and could not return to farm work. Another single man had been doing farm work for only a few years and had a poor record due to a drinking problem. The first two continue to receive aid and the third broke contact with the department in June, 1963. One of the clients was a "stay over" from the 1962 season due to pregnancy. She remained here for delivery of her baby, brought more of her children from the south and has removed herself from the migrant status. The only other family group was classed as migrant due to the fact that they worked in a farm labor camp here in 1962. They had not previously been migrant farm workers, however, and moved into Buffalo at the close of the season. This family continues to receive T-ADC due to unemployment. All of the "stay overs" found housing in Buffalo without difficulty when they discontinued farm work. The type of housing available is the same as that of other members of the lower socio-economic class and the relief grants issued are, of course, unaffected in amount by designation as "stay-over". Both family cases are long-term due to lack of education, training and poor motivation toward employment.

Genesee County: No migrants were on the relief rolls after the harvesting season. All camps in the county are closed after the season ends so that there are no residents left in these camps during the winter.

Herkimer County: No migrant laborers remained in the county during the winter of 1962-63.

Livingston County: There were no applications for assistance from migrants who stayed over. The only requests were those which came from migrants who originally stayed over three to five years ago and have been there since that time. These people have needed assistance each winter and there are about five of these cases in the county. Also, the number of cases of hospitalization for migrants during the season has been small—not more than four for the year. Migrant labor in this county is mostly for potatoes and machines are being used more and more for harvesting so that the demand for migrants is diminishing.

Madison County: This county had only one case during the winter of 1962-63. This family came up on their own looking for work and consisted of a man, his three children and a woman. The man's wife was in an institution in the south. Through odd jobs here and there they were able to manage until January, 1963. They received help at the rate of $143.80 per month until April 15, 1963. The case was closed because they refused to return to their home in the south at the expense of the department.

Monroe County: Fewer migrant workers were brought to this area in 1962 than in 1961. Most housing provided for migrants is padlocked at the end of the season. Only one camp in the county stays open as late as November for the potato crop. Only two persons have lived in migrant camp facilities during the past winter. The case workers who are assigned to the 19 towns of Monroe County ordinarily receive the applications of individuals residing in the towns. Applications of individuals residing in the City of Rochester are received by the department's intake units. Since migrant farm workers are not housed within the limits of the city, applications taken by the intake units would be made by persons who have moved into the city. From October, 1962 through March 1963, the city intake units received applications from 6 single people and from 7 families (25 individuals), the majority requesting full assistance. One town case worker has had one application since the end of the season. This family of 6 are employed by a farmer and have stayed on since last summer in a shack on his property. They were able to manage except for clothing, which was issued. Since only two individuals stayed over in the one camp open during the winter, it appears that those who stayed in the area moved into the City of Rochester.

Niagara County: During the past year there were six requests for assistance and most of these have been for hospital or medical care. In one instance, a migrant farm worker who remained in the area requested assistance and when his employer found out about the situation, the request was withdrawn. Most of the migrant workers who remained in the community continue to reside in the quarters that were provided for them during the harvest season. The migrant situation in Niagara County is somewhat different than in some of the adjacent counties, as many workers come in in groups of 8 to 10 and work for a particular farmer's group and when there is no longer need for their services, they go on to other areas.

Oneida County: Out of a total of 1500 migrants who came to Oneida County between May 30, 1962 and November 1, 1962, 896 were certified for surplus food during the summer months. At the end of the migrant season, a total of seven families remained in the county, only one family remaining on a farm in the housing designated for migratory farm laborers. Five families were in receipt of assistance during the winter and spring months. Involved were 7 adults and 11 children—a total of 18 persons. Monthly grants averaged $138.22 for a family. There are two other families residing at Rome, New York, who came up during the migrant season to work at non-agricultural jobs and remained. One of these families became active T-ADC for about two months, while the other remained self-supporting.

Ontario County: The number of "stay-overs" from 1962 has been none or at most very few. There is one camp where about 50 such laborers spend the winter, but they have been there for several years. Expenditures in public assistance for migrants have been in-

significant. Occasionally there have been hospital bills, but the total amount has been too small to pose a fiscal problem.

Orange County: Records reveal that after December 1, 1962, assistance was given to 5 migrant laborers. Four clients applied for medical pertaining to in-patient care in a hospital. All were approved as state charges. Two of the clients left the state following their hospital discharge. Two remained and obtained employment. They have not been in need of further public assistance. One negro couple with five children have had to be placed on T-ADC on date of application as the husband's income was insufficient to provide for the family. This family claim they left the State of Florida as the work was seasonal and they could not make a living there. They felt the part-time employment in this state was better than none. They were approved for state charge until 7/27/63. They have moved from the tenant house where they first lived to two other homes since December. This was due to change in employment. Two of the homes were inadequate. Their present home is livable and the agency has assisted in furnishing it to some degree. To date $1402.95 has been issued on this case. It has been necessary to keep this case open as the husband developed a foot infection preventing his steady employment. There has been no need to assist Puerto Rican migrants as most local employers have contract workers who have medical coverage and return to their homes after the harvest season *is over.*

Orleans County: During the 1962-63 season, there were 173 living units at the largest camp in Orleans County (Coloney Camp). About 65 new workers came into this camp for the 1962 season. Twenty of these stayed over into 1963. Half of those who stayed applied for some welfare assistance. This sample shows what has happened in this county in relation to the demands for housing being made by migrant workers each year. Also, it is apparent that the demands on public welfare funds are increasing accordingly.

Oswego County: There were four single migrant workers who remained in this county after the harvesting season and worked part-time on a farm in the Town of New Haven. One referral was received for one member of this group for a period of two days hospital care and an ambulance fee which resulted from a fight on Christmas day. The only assistance required was for medical services received by this applicant. The migrants continued to live in the house provided by the farmer for whom they worked which was adequate and would meet approved standards for the winter weather conditions in this county. This county has never experienced any great demand for public assistance by the migrants who come into New York State during the summer months. Past studies show that the requests are usually for medical needs.

Otsego County: During the 1962 season there were no operating migrant labor camps in this county.

Putnam County: There is very little, if any, seasonal farm employment and therefore there are no migrant workers remaining after the seasonal harvesting is completed.

Saratoga County: There is only one migrant camp, that which is operated by the Bullard Orchards. Mr. Bullard was contacted and stated that he did not think any of his workers remained in the county after the harvesting season. He said he thought two went to Rochester. Three may have stayed temporarily in Saratoga Springs. The Welfare Department did not give any assistance to any of these workers during the winter of 1962-63. None of the workers remained in the migrant camp.

Schoharie County: This county experiences practically no difficulty with migrant laborers. As a rule, seasonal farm workers employed are local people and not migrants. There were no demands for public assistance from this source during the winter of 1963.

Steuben County: The economic and living conditions for the migrants who stay over remain the same as in previous years. There is no way of estimating their number, but there are a few more each year. Few of them apply for public assistance. Most of the assistance they receive is emergency assistance given by the welfare officers of the various townships. Usually it is caused by severe weather, shipping difficulties or finding another job. Medical and hospitalization is often requested in cases of illness, accident, assault and childbirth, but few such requests are received from the stay-over group.

Suffolk County: Twenty-seven requests were received for assistance from migrant workers who stayed over after the 1962 harvest season. Of these, twelve cases remained in the same housing and fifteen changed residence. These cases represented thirty-two adults and thirty children. The majority of the requests were caused by need for hospitalization or medical care.

Tioga County: There were no migrant workers who stayed over after the 1962 harvest season in this county. Any workers who do not return to the South usually go into the City of Ithaca in Tompkins County to establish residence.

Tompkins County: There were no new migrants and families who stayed in the county for the winter of 1963. Being adjacent to two counties with migrant camps, there has been an experience with one family (2 adults, 5 children) who come from Florida with a crew boss to work in Cayuga County. They have been coming annually since 1951, working north from May through mid-September. In mid-September they detach from the crew to work independently at a farm in Tompkins County and leave for Florida about mid-October. Although direct public assistance has not been needed, recurring hospital and medical care has been requested—maternity and delivery; appendectomy; bronchial congestion (Cortland Hospital and Auburn Hospital 1960-1961-1962). The two things mani-

fest here are the lack of a health insurance plan or resource management and the interruption of schooling for the children. The second migrant coming to the attention of the Department detached herself from a migrant camp in August of 1962 following "a fight with a male worker". She was not a regular member of the crew but attached herself to the crew in South Carolina. She was unwilling to return to the camp and eked out maintenance through odd jobs as home helper and babysitter with Tompkins County interested groups. Ability to maintain herself was limited by lack of training, limited education, speech defect, health problems and social maladjustments. Interim county home care was needed until her request to be returned to South Carolina could be authorized and approved. This suggests (due to experiences of other years) that persons not truly migrant workers continue to attach themselves to the crews and are without funds for transportation or resettlement when difficulties arise.

Wayne County: Estimates in the past have indicated that out of the three thousand plus migrants who come into this county each year that somewhere between five and ten percent remain. This has been quite uniform over the years past. With respect to their welfare assistance demands, there are extremely high costs with respect to hospital care. The cost for Home Relief for the persons who are established as state charge, with less than one years residence in the county and in New York State, does not run very high, averaging about $1,000.00 per month during the winter months. There has been a continually spiraling case load, particularly in the Aid to Dependent Children program resulting from, for the major part, persons who have migrated here as agricultural workers in years past and have remained, but because of economic situations are unable to find year-round employment. Many of the persons who come to the attention of the Welfare Department are being quartered in the same housing that they occupied during the harvest season. It is felt that a regulation requiring that labor camps be unoccupied from January 1 to May 1 would be of great assistance to this county.

Wyoming County: Twenty-one migrants remained in this county during the winter of 1963. This was a larger number than in 1962. The majority of these persons remained in the housing facilities in which they were quartered during the 1962 harvest season. Demands for public assistance were for food, medical and hospitalization.

WORKMEN'S COMPENSATION

The last report of your committee recommended enlarged study together with public hearings concerning workmen's compensation, health insurance and like matters. Such study has been conducted culminating with a public hearing held in the Assembly Parlor at the New York State Capitol in Albany, New York on February 19, 1964. Also, a bill was prefiled January 8, 1964

whereby it was proposed to amend the Workmen's Compensation Law in relation to coverage of farm laborers. A copy of this bill is set forth in the appendix annexed to this report.

The results of the study and information obtained indicates that a large percentage of farmers employing labor procure either voluntary workmen's compensation or farm liability insurance to cover their workers. The main difference between the two forms is that under workmen's compensation an injury incurred during employment is covered and the injured worker protected regardless of proof of negligence or other common law proof of liability, whereas, under the farm liability insurance program the common law rules of evidence and proof of negligence are necessary to legally substantiate payment and coverage of the employee in state court.

It is argued that compulsory workmen's compensation and the resultant high premium would be a hardship upon many farmers. It is felt that the exclusion contained in the proposed bill of farmers having an annual payroll less than $500.00 would eliminate a large percentage of farmers and would tend greatly to minimize the suggested hardship. Of the remaining farmers, it is felt that many of them are already carrying workmen's compensation on a voluntary basis and that the additional numbers covered under a mandatory program would cause no real hardship. The greater protection for employees and the many side effects as previously indicated in this report, would far outweigh any hardship to the employer.

The following statistical information is available from the Department of Labor which tends to substantiate the size and nature of the farms proposed to be covered:

The fact that about one-third of the total agricultural payroll in New York State is already covered by workmen's compensation on a voluntary basis would indicate that there will be that much less additional cost if workmen's compensation is made mandatory. Moreover, enactment of the bill, in making workmen's compensation the injured worker's exclusive remedy, would cut off the possibility of negligence suits at common law by injured workers against farm employers. Farmers who now carry farmer's liability insurance in respect to their workers could cease carrying it. This fact too limits the net or additional cost of requiring workmen's compensation insurance. Some idea of the prevalence of farmer's liability insurance, as well as of workmen's compensation insurance, can be gained from the 1961 registrations under the Labor Law's Migrant Registration Act. Three out of seven growers and farm labor contractors who were to bring migrant workers into the state stated that their workers would be covered by workmen's compensation insurance; an additional two out of seven stated that they carried farmer's liability insurance instead.

According to the 1959 Census of Agriculture, there were 41,930 farms in New York State which had one or more hired workers at some time during the year. These farms had a total cash payroll of $93,453,000. The median payroll was $680. Of the 41,930

farms, 18,820 or 45 percent, had annual cash payrolls of less than $500.

Your committee has noted that there has been no voice raised against the basic concept of workmen's compensation insurance even by those who spoke at the public hearing against the enactment of the bill. Some objection has been raised against the concept of the mandatory insurance plan versus the voluntary one on the fact that the same is somewhat contrary to our American way of life. It certainly is recognized that a voluntary plan of any nature is most effective but in many important sociological instances it is felt that a mandate is required when the voluntary plan does not adequately cover the whole field.

The main objection to the mandatory workmen's compensation law as proposed, seems to arise from the present compensation rates established by the New York State Compensation Insurance Rating Board. It has been pointed out that the present classification for farms falls into "Fruit Farms", "Vegetable or Berry Farms", "Poultry" and "N O C" or non-classified farms. An acreage factor is figured so that if fifty percent or more of the acreage is used for one of these classifications, the entire farm falls within the same. Statements presented at the public hearing indicate that representatives of growers organizations, representatives of the New York State Farm Bureau and of the Governor's Advisory Council on Farm and Food Processing Labor as well as representatives of the New York State Council of Churches, have advised that the rate classifications and methods of determining rates are not fair and equitable as far as New York State farmers are concerned. It has been indicated that the actual size of the rates is not determined by the experience factor or loss incurred in past years, but by some other formula having to do with the amount of labor necessary to produce certain crops.

It is also stated that compensation rates for adjoining states are substantially less than ours, thereby placing New York State farmers in an unfair competitive position. Figures for compensation rates for potato growing, as submitted at the public hearing, are as follows:

New York	$5.30
Connecticut	2.59
Maine	1.70
New Jersey	2.78
Pennsylvania	2.50
Delaware	1.15
Virginia	2.87

As a result of the information available and the results of the public hearing, your committee feels that there is substantial merit to the extension of workmen's compensation to agricultural labor. Agriculture in New York State is truly one of our large and important industries and, as such, it should assume the proportions and aspects of a successful industry. One of these aspects is the modern and proper treatment of employees, particularly in connection with safety, health and insurance protection. There-

fore, your committee recommends that efforts be continued to enact legislation to extend workmen's compensation coverage to farm laborers in New York State. However, your committee recognizes that the classification and rates structure covering agricultural workmen's compensation should be reviewed and modernized to be more in line with the actual requirements of the case and to be in line with the competitive position in which our agricultural industry must find itself in respect to other states. Therefore, your committee recommends that study be given to classification and rates structures and meetings be held and cooperative efforts encouraged between representatives of growers organizations, the New York State Department of Labor, the New York State Insurance Department, the New York State Insurance Rating Board and your committee with a view toward establishing proper rates, thereby augmenting the extension of workmen's compensation to agricultural labor.

CHILD CARE

In 1963 fourteen child care centers were operated at Atlanta, Aurora, Brant, Brockport, Clinton, Frankfort, King Ferry, Lebanon, Norwich, Scottsville, Sherrill, Stanley, Westmoreland and West Winfield. Four of these centers were conducted and coordinated with summer school programs conducted by the Department of Education at Clinton, Norwich, Sherrill and Westmoreland.

These fourteen child care centers had an enrollment of 705 children and furnished 14,814 child days of care. The state continues to bear 90 percent of the operating cost of these centers with the remaining 10 percent paid by local growers and migrant committees. The state budget for the next year is $82,000.00 and your committee is informed that unless more child care centers are established, this money will be fairly sufficient. It is indicated that if more child care centers are established, more state funds will be needed to support them.

Both the personnel involved in the operation of the child care centers and representatives of the State Labor Department indicate that the coordinated child care center and summer school program has many advantages. All of the children of a migrant family can be cared for in one central location from a period early in the morning until late in the afternoon so that the parents are free to engage in their labors. The child care center is open and available for all of the children until the formal school program starts and usually provides a place for the older children after the formal school is over. Also, the care centers combined with the education program make a more efficient operation in that only one transportation facility is necessary, one cooking and eating facility and a combination of personnel. These factors tend to reduce the cost of operation of the centers and the educational programs and, in the long run, give benefit to the migrant family.

Your committee recommends the continuation of the child care center program and suggests that every effort be made to coordinate it in every instance possible with summer school education programs.

EDUCATION

It is certainly clear to anyone observing our modern society in action that education at any age is an important factor to success. This is particularly true in the migrant labor field where many of the laborers have not had the advantage of formal education in their younger years. The programs of the Department of Labor and the Department of Health in making available to the migrant adults information concerning their lives in New York State is much to be commended. Also, the efforts of local migrant committees and the New York State Council of Churches in assisting the migrant families in many of their problems is a vital aspect of this problem. Your committee has noted these fine efforts.

Such educational programs and assistance to the adult seasonal farm laborer and his family certainly should be encouraged and receive all possible assistance from your committee and New York State and local agencies.

The New York State Education Law requires the attendance of all resident children in New York State up to 16 years of age. This pertains to children of migrant families as well as resident families. In this connection, the Department of Education provides the following table of figures showing the census of migrant children and enrollment in regular schools for the past three years. The census figures are for all children from birth to eighteen years of age.

CENSUS		*ENROLLMENT IN SCHOOL*	
1963	3091	1963	2070
1962	3610	1962	2333
1961	3970	1961	2412

The Department of Education further indicates that in this group there were approximately 1500 children in the age group of 13–16 years of age who would be potential participants in the summer school program. The summer school enrollment has been as follows:

1963	355
1962	371
1958	98

These figures concerning summer school programs indicate the strides that have been made in education since 1958. The decrease from 1962 to 1963 is undoubtedly due to the fact that there were fewer migrant children in the state. As has been previously mentioned in this report, the coordinated efforts with the summer school program and the child care center program seems to benefit both the educational as well as the child care program. Such benefits are mainly seen in the help given to the migrant children and the more adequate services performed for the migrant family. Such coordinated efforts should be encouraged.

The Department of Education informs your committee that $45,434.70 was expended in the year 1963 for summer school programs and that the balance of the $50,000.00 budget would have been expended completely if all summer schools had been operated as anticipated. It is understood that one school did not open due to the fact that a late frost curtailed strawberries and cherries in that area so that the migrant crews did not arrive. Your committee is informed that the department has made a request for $80,000.00 for the summer school program for the year 1964 based upon the assumption of expansion of these programs.

The number of summer schools throughout the State is increasing yearly as is the general acceptance and attendance. These scenes showing a school in operation are repeated many times during the summer months in the farming areas of the State.

Apparently the children of migrant families cause no greater difficulties than the children of resident families insofar as attendance is concerned. Reports from various schools and summer programs indicate that the attendance seems to be better than ever, particularly where the attendance supervisors are encouraged to contact the migrant families. Of course, some of the abrupt departure of crews and the resultant termination of education, both in the summer school programs and in the regular fall terms is disconcerting to the school officials because they have little or no advance notice of the termination of participating students. It is difficult to see, under the circumstances, how such a situation can be remedied and the school officials should be commended for their efforts in providing as much education as possible within short times and under the limitations they encounter.

One important facet of the educational program is the large percentage of migrant children who are over age for their grades. This factor is further complicated by the fact that most migrant children do not have report cards and it is very difficult for school officials to determine actual educational progress of any one individual. In many instances, by the time the proper grade has been determined, the migrant child is again on his way to another locality where the same problem is oftentimes repeated. In spite of these problems, the Department of Education reports that 111 (5%) were enrolled on the senior high level including 9 in the senior class; 390 (19%) enrolled in the junior high level for a total of 501 (24%) in secondary schools. It is reported that in spite of special difficulties, the attendance of this group was excellent and most of the children returned to their home states by Thanksgiving.

However, there still continues a need for special help to many of the children of seasonal farm laborers. The following age-grade table shows an age span of 4 years in kindergarten, 5 years in grade 1, 6 years in grade 2, 6 years in grade 3, 6 years in grade 4, 7 years in grade 5 and 7 years in grade 6.

Total Number of Minors Residing in Migrant Labor Camps

	Under 1 Yr.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Total
Boys	95	83	112	94	84	106	140	120	103	103	92	82	105	92	68	74	43	24	5	1,625
Girls	74	87	95	94	85	97	108	119	104	109	106	89	70	83	55	43	33	11	4	1,466
Total	169	170	207	188	169	203	248	239	207	212	198	171	175	175	123	117	76	35	9	3,091

Age–Grade — Includes All Migrant Children Enrolled at Any Time Since the Opening of School

Grades	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Total
Special				3	2	3	2	4	5	6	1	4	—	1	4	35
K	25	107	45	1												178
1		24	163	77	3		1									268
2			24	130	73	14	1	2								244
3				26	97	72	18	6	4							223
4					21	98	65	29	8	3						224
5						20	88	42	32	13	3	1				199
6							28	73	51	31	12	2	1			198
7								16	62	59	24	6	2			169
8								1	15	47	31	17	1			112
9										16	35	43	14	1		109
10											8	35	22	4		69
11											2	10	9	12		33
12													1	4	4	9
Total	25	131	232	237	196	207	203	173	177	175	116	118	50	22	8	2,070

It is felt that participation in summer school programs by migrant children is very important in assisting in the establishment of actual educational progress in giving basics to the children for use in formal fall schooling. It is indicated that in most instances where the children have attended summer school, they fit into the fall program much easier and at a proper grade level. It is also felt that if there were some method of assuring the transfer of educational information from school to school and state to state, each child would be greatly benefited. This concept and the use of the "traveling report card" has been discussed for a number of years and is one of the matters which should be followed closely by federal migratory labor committees and groups coordinating the activities of the various states. Your committee recommends that such studies and activities be undertaken.

MISCELLANEOUS

As previously indicated in this report and in prior reports of this committee, the cooperation among all of the state agencies concerning themselves with migrant labor should be continued and encouraged. The efforts of the Interdepartmental Committee on Farm and Food Processing Labor in conjunction with the Governor's Advisory Committee and the work of your committee can best be tuned to successful accomplishments by cooperative

Migrant Ministry teams still play an important part during the residence of the migrant worker and his family. Above is depicted a team engaged in conference with the Chairman and the Chaplain of the Ministry in one of Upstate New York counties.

efforts. Examples of this can be seen in the coordinated efforts for educational programs conducted by the Health Department and the Department of Labor and the cooperative efforts between the Department of Education and the Department of Agriculture and Markets in the child care and summer school programs.

Your committee also observes and highly commends the cooperative efforts of state agencies with local migrant committees, local departments of social welfare, health departments and other local municipal officials in coordinating all of the activities concerning the employment of migrant labor and the establishment of migrant families in local communities. Such cooperative efforts not only benefit the migrant families by closer and more objective assistance, but also make available to your legislative committee more information and suggestions for methods of meeting many of the problems.

As has been previously indicated, New York State is one of the states participating in the flow of migratory labor along the Atlantic Seaboard. We take pride in having advanced many of the programs, both legislative and administrative, now being somewhat copied in other states. Representatives of our state should be encouraged to cooperate with federal and interstate committees in their efforts to coordinate migrant programs. No one state alone can meet some of the problems and it is a necessity that some aspects be studied and met on the interstate level.

RECOMMENDATIONS

Your committee recommends the following:

1. That legislation be enacted to provide that paragraph a of subdivision 5 of section 250 of the Vehicle and Traffic Law be amended to extend the period of use of the special permit for operators who are nonresident seasonal farm laborers from April 1 to November 30 in each permit year.

2. That legislation be enacted to provide that paragraph a of subdivision 4 of section 250 of the Vehicle and Traffic Law be amended to extend the period of use of a special permit concerning the registration of motor vehicles and trailers owned by nonresident seasonal farm laborers from April 1 to November 30 in each permit year.

3. That legislation be enacted to provide for the extension of the Workmen's Compensation Law to farm laborers and requiring that a farmer should provide coverage for all farm laborers employed for any period of time during a period of 12 consecutive months beginning April 1 of any calendar year if during the preceding year the cash remuneration paid to all farm laborers by said farmer aggregates $500.00 or more.

4. That study be continued concerning the extension and expansion of Workmen's Compensation, Health Insurance, Unemployment Insurance, etc., with a particular view toward reclassification

of farm labcr under the Workmen's Compensation Law and the establishment of new and different rates for the reclassification.

5. That cooperation continue among the departments of State concerned with migrant labor and among the Interdepartmental Committee on Farm and Food Processing Labor, the Governor's Advisory Committee and the Joint Legislative Committee on Migrant Labor.

The exchange of information and ideas among these various agencies, departments and committees has always been and will continue to be an important factor in securing proper legislation, rules and regulations and the efficient enforcement of them. It is recognized that, in many instances, varying opinions have been and will be encountered. It is sincerely recommended that these opinions be objectively explored and that satisfactory compromises be effected as part of the cooperative effort.

New York State has been a leader in the field of migrant labor legislation. This leadership will normally continue along with our program of cooperation as recommended. This united and cooperative front is found necessary for presentation to and cooperation with agencies of other states along the Atlantic Seaboard and with the federal government and its agencies concerned with migrant labor.

6. That educational opportunities for migrant children be expanded. Your committee has long noted the gap between normal classroom age and actual age of migrant children. It has been our desire to accord opportunity to these children and their parents to lessen this gap and make possible further advancement of migrant families in general. We have recommended that study be continued as to various methods of meeting these problems by both formal and informal educational programs. In addition, we believe and recommend that study should be given to methods of assisting local school districts in carrying out such programs both from an operational as well as a financial basis.

7. That the Child Care Program as supervised by the Department of Agriculture and Markets be expanded. The possibilities of formal education for migrant children occur only after the child has reached school age. Prior to this time, much can be gained by providing well-run care centers for pre-school children whose parents are at work in the fields or food processing plants. These child care centers not only relieve the parent from the responsibility of care for the children but, possibly more importantly, tend to start the migrant child on a proper pattern of training which he might not otherwise follow.

8. That your committee continue its study in cooperation with the Department of Health and other state agencies with a view toward continued proper revision of standards for farm labor camp sanitation. It is particularly the desire of your committee that these studies and efforts assist in the more effective maintenance of camp facilities. Programs of education and instructions in the require-

ments of the Sanitary Code as well as inspections of facilities to assure compliance is necessary. The loss of life due to negligently caused fires as well as the social effects of unplanned and unsatisfactory living quarters are important factors in this study. It is also important to consider in this study the economic factors facing the growers and camp operators. All of these various aspects of the question must be continually reviewed and weighed in order for this state to continue its progressive program to better the housing available to migrants.

9. That your committee, in cooperation with other state committees and state departments, take advantage of every opportunity to meet with and enter into programs with the other states along the Atlantic Seaboard and with the federal government. As has been pointed out on various previous occasions, many of the problems associated with the flow of migrant labor must be met on an interstate basis. For New York State to act unilaterally in many of the problem areas could possibly place New York State agriculture in a disadvantageous competitive position. This, as well as other results of such unilateral action might cause more damage than benefit to the whole picture.

Your committee should act in full cooperation and liaison with these other states and with federal agencies and should, before local enactment, study the feasibility and effects of all problems.

10. That local migrant committees and migrant ministries be encouraged in their activities of assistance to the migrant and his family. This area of endeavor not only augments the efforts of state agencies in the creation of educational child care centers and like facilities, but also tends to greatly improve the acceptance of the migrant in our agricultural community.

11. That local municipal and civic agencies interest themselves in preparing programs of an educational nature for the adult occupants of migrant camps in order that a better understanding of care in personal property, application and use of heating and cooking facilities and other features may be taught and encouraged.

MEETING OF JOINT LEGISLATIVE COMMITTEE ON MIGRANT LABOR

The University Club
Albany, N. Y.

May 27, 1963

Present:

ASSEMBLYMAN ALONZO L. WATERS, *Chairman*

SENATOR FRANK E. VAN LARE, *Vice-Chairman*

ASSEMBLYMAN HAROLD I. TYLER, *Member*

ASSEMBLYMAN GUY L. MARVIN, *Member*

ASSEMBLYMAN HARVEY M. LIPSET, *Member* and representing ASSEMBLYMAN ANTHONY J. TRAVIA, *Minority Leader*, The Assembly

MR. PAUL I. MILER, *Counsel*

MR. HARRY N. HAIGHT, *Field Director*

MRS. MYRTLE Q. PALMER, *Research Director*

MRS. MARY ALICE FLYNN, representing SENATOR WALTER J. MAHONEY, *President Pro Tem*, The Senate

MR. BENNETT I. SARASON, representing ASSEMBLYMAN JOSEPH F. CARLINO, *Speaker of the Assembly*

MRS. RITA STEWART, representing SENATOR ELISHA T. BARRETT, *Chairman*, Senate Finance Committee

MR. PETER J. DALESSANDRO, representing SENATOR JOSEPH ZARETZKI, *Minority Leader*, The Senate

The meeting was called to order at 11:15 A.M. by Chairman Waters. He expressed his pleasure in the fine attendance by members of the committee and the representation of ex-officio members. Mr. Waters stated that the purpose of this meeting was to establish a program for the coming year and that an early start is necessary as the seasonal farm workers are already beginning to arrive in the State.

He informed the committee that Mr. Harry N. Haight has been accompanying the Interdepartmental Committee on their meetings throughout the state and has also made some inspections of farm labor camps. Mr. Haight was then asked to summarize the activities of the Interdepartmental Committee meetings which are informative conferences for the purpose of briefing the growers about changes in legislation and directives and the peripheral things that go along with it such as housing, and also to hear complaints if there are any.

Mr. Haight said that he had not seen as many camps as he had by this time in previous years but had attended eight group meetings since the close of the legislative session and that these meetings

were exceptionally well attended. They were held at Brant, Atlanta, Sodus, Riverhead, Waterville and Kingston by the Interdepartmental Committee. There was also a meeting of all the Farm Placement men in Syracuse. He stated that there were many interesting subjects brought up at these meetings but that he would concentrate on the controversial ones. Probably the one thing that was discussed more than anything else was unemployment insurance for the migrant. At the meeting of the unemployment representatives, they were divided into three sections, each one chaired by one of the members, and in that meeting they discussed unemployment insurance with the premise that it is something that is going to happen and that they should be prepared to administer it. One person present said he felt it was bound to come and the only advantage he could see in it is that it might slow up the activity of unions. He felt that they would not be as anxious to unionize. The farmers certainly don't want it but they also see it is in the air and feel they might as well get ready for it.

Mr. Haight reported that there was discussion on the bill which was passed this year which was sponsored originally by Assemblyman Lifset. They have encountered difficulties relating to this bill. The bill requires that all vehicles carrying seven or more children shall be equipped according to the regulations covering school buses. It has been the custom of many of the migrants or crew leaders to transport these children to the child care centers. They do not want to have to paint their vehicles yellow, put signs and extra lights on them, etc. The growers and processors have recently purchased two new vehicles which are to be used as utility trucks and station wagons. Where there is difficulty in transporting children, they have sent these vehicles to transport the children to the centers. They are just ordinary vehicles. The growers claim they have obtained an estimate to equip these vehicles to conform to the new law and that the cost would be approximately $600.00 per vehicle. They now have three vehicles and therefore the overall cost would be $1800.00 and their budget cannot assimilate this additional expense. The bill does not take effect until October, so it will not cause much trouble this year.

Mr. Haight reported on a problem relative to the special licenses issued to migrant workers which are effective as of June 1st of each year. At the meeting at Brant, a judge who attended the meeting brought up a situation which exists in Erie County. Many of their migrant workers come in about the 1st of May and they refuse to get their license until June 1st when they can get the low rate. This particular judge had several experiences already and must abide by the law and has had to fine them. The same objection has been raised to this law in the Hudson Valley and in Suffolk County. They all requested that it be taken up with the Joint Legislative Committee.

Mr. Haight said he thought it might be of interest to talk about the recruitment program in Florida. Interviews are arranged in advance with crew leaders. They take orders for workers and try to align the available labor with the demand anticipated. This year

the number of prospective crew leaders was three less than last year. The number of migrant workers pledged remained about the same as last year. This is a bit surprising when one considers the element of mechanization. The one reason given to offset the anticipated effect of mechanization is that there will be more beans picked by hand because growers get more money in the fresh market and the produce has a better appearance if picked by hand. At least two pickings may be made by hand and only one if by mechanized equipment. It is expected that this will make quite a difference in the demand for hand labor this year.

The fingerprinting of crew leaders was brought up by Mr. Haight. He said that the Labor Department took some prints last summer. They assumed that these would be acceptable as long as the individual comes into this state. The federal authorities say they have to be fingerprinted each time they come into the state. This would seem to be unnecessarily repetitious. There was one crew leader who had been indicted for murder and he had stated on his application that he had no record.

Senator Van Lare raised the question as to why prints would be needed each year.

Mr. Haight replied that the federal authorities claim they want up-to-date records. That is the only reason given.

The Chairman observed that it would seem unnecessary to take prints each year as they never change. Also, it has been a rather cumbersome operation but the end has seemed to justify the means. We have no federal legislation demanding it and there are just a few states who require registration.

It was noted that all the various bills introduced by the President's Committee on Migratory Labor have not gotten off the ground.

It was decided to take up the matter of fingerprinting with the Department of Labor to see how much difficulty it is giving.

Some discussion followed as to the number of migrant workers expected to enter the state this year. It is anticipated that the figure will be approximately the same as last year.

Mr. Haight mentioned another subject of discussion at the meetings he has attended. This was relative to arriving at prevailing wage figures. The Department of Labor, through instructions from the federal government, are making wage studies throughout the state. They have covered some of the areas heavily populated by seasonal workers. They survey each grower and ask him what he is paying and then arrive at an average and take that as the prevailing wage that must be paid to those laborers who have been recruited by the Labor Department. If a grower recruits his own workers, the Department has no jurisdiction as to what wage he shall pay. A point of disagreement relative to arriving at this prevailing wage figure is that some growers pay a bonus to workers they consider to be exceptionally good. The federal government has said that such bonus payment must be added to the regular wage that he pays all his workers in calculating the prevailing wage. The grower feels that the purpose of paying a bonus is thereby lost

if one must pay a poor or average worker as much as an exceptionally good one. It was decided that this problem is not within the jurisdiction of the committee but that it would be of interest to determine whether or not this same ruling applies to the prevailing wage in other industry.

It was noted that last year approximately 35,000 migrants entered the state,—a few less than the previous year. Also of interest is the fact that Florida, from which state we obtain a great number of the southern migrants, has had to import off-shore labor to harvest crops. This would indicate that the workers wish to migrate,—otherwise employment could be obtained in their home state. Influencing factors might be many, such as welfare payments and other benefits. This past year approximately 10 percent of those who came in remained to become permanent residents of New York State.

Mrs. Flynn offered the information that there is a ceiling on all welfare grants in Florida. For instance, any old age pensioner gets no more than $65.00 per month.

It was observed that we are far more generous, especially in cases where families and children are concerned. A great many families find it much more profitable to become unemployable because their total welfare grant is much more than they could earn as their skills are limited. It is a condition that is going to be progressively worse because in this group there is 5 percent who just do not have the mental capacity to be trained; another 10 percent are on the fringe and could make it if they have the opportunity to go to school. In order to keep this vast unemployed group from growing, the state will have to follow through on its plan to train them. It is recognized that the migrant labor group is costing us more than any other segment of industry. It is when he becomes a permanent resident that he is a cost to welfare, not at the time he is a seasonal worker.

Some discussion followed relative to the school bus bill which was passed during the legislative session. It was decided that this bill does not accomplish the intent of the committee and will have to be amended.

The problem of labor camps which are open year-round is still a source of concern to the committee. During the period from January to April, there is little or no supervision or inspection. It is at these installations where a worker may be exploited as they usually furnish all services, housing, commissaries, transportation, etc. The committee felt that something should be done so that when these camps can no longer be classified as migrant labor camps, the responsibility for inspection and supervision be definitely delegated in order that the well-being of the occupants be protected.

The Chairman introduced discussion relative to three areas of farm economy not now covered in the state,—unemployment insurance, workmen's compensation and guaranteed hours of employment. All off-shore workers come here under a contract which gives them guaranteed hours. The southern migrant does not have this

advantage. This subject has been pointed out by various organizations and referred to continuously on the federal level.

As to compensation insurance, it does not prevail as such because the rating boards have never established an equitable classification for agriculture. It is understood that the Department of Labor has requested time and time again that some ratings be established but it has not been done. Ordinary compensation insurance does not apply below the legal working age level. The working age for certain types of employment in agriculture goes down to fourteen years of age.

The third area discussed was that of unemployment insurance. This, too, would take considerable effort to find a workable plan. Under current regulations, most workers would not qualify.

It was agreed to conduct public hearings during the summer and fall months at which all sides could be heard,—growers, migrants and any other interested groups to see what can be done in these three areas. It was also thought that field inspection trips by the committee could be combined with these hearings.

The meeting was adjourned at 3:00 P.M.

INSPECTION TRIP OF JOINT LEGISLATIVE COMMITTEE ON MIGRANT LABOR

September 25-27, 1963

Those Attending:

ASSEMBLYMAN ALONZO L. WATERS, *Chairman*

SENATOR FRANK E. VAN LARE, *Vice-Chairman*

ASSEMBLYMAN GUY L. MARVIN, *Member*

ASSEMBLYMAN HARVEY M. LIPSET, *Member*

PAUL I. MILES, *Counsel to Committee*

HARRY N. HAIGHT, *Field Director*

MYRTLE Q. PALMER, *Research Director*

MARY ALICE FLYNN, representing SENATOR WALTER J. MAHONEY, *President Pro Tem*, The Senate

BENNETT I. SARASON, representing ASSEMBLYMAN JOSEPH F. CARLINO, *Speaker*, The Assembly

AGNES RYAN, representing SENATOR ELISHA T. BARRETT, *Chairman*, Senate Finance Committee

PETER J. DALESSANDRO, representing SENATOR JOSEPH ZARETZKI, *Minority Leader*, The Senate

FRED AMES, representing ASSEMBLYMAN GEORGE L. INGALLS, *Majority Leader*, The Assembly

ASSEMBLYMAN JOHN G. MCCARTHY, Suffolk County

EUGENE J. DONNELLY, *Emp. Security Mgr.*, Dept of Labor, N. Y. S. Employment Service

SIDNEY BECKWITH, *Sanitarian*, Dept. of Health

HORACE WELLS, *Suffolk Co. Agriculture Agent*, Extension Service

ROBERT J. DIETRICH, *Farm Employment Representative*

CHARLES E. WEBB, *Farm Employment Representative*

TROOPER HERBERT LEEGE, Troop K, Hawthorne, N. Y.

Eighteen farm labor camps in Suffolk County were covered during this inspection trip. Of this number, only one was found to be lacking in meeting regulations as set forth in the Sanitary Code. Conditions in the other seventeen camps were exceptionally good.

The one camp which could be criticized was operated and owned by an individual who was present at the time of the inspection and who appeared to have a very casual attitude toward conditions in his camp. The camp consisted of an old run-down farm house where single male workers were housed and two one-room buildings of wood construction which were in a very bad state of repair. The latter two buildings housed family units. Outdoor toilet facilities

were used and there was no evidence of any facilities for bathing. There were approximately twenty-five individuals at this camp.

The crops being harvested in this area at the time of the inspection were mainly potatoes and cauliflower. Work was abundant and very few workers were not in the fields.

Several large nurseries were visited where migrants are employed. At each of these, living quarters were very good. It was interesting to observe that in this phase of agriculture, horses are still used because the planting pattern will not accommodate tractors and other mechanized equipment.

The existing rate of pay in this county is $.08 per bushel for picking up potatoes and from $1.00 to $1.35 per hour for sorting, grading or sacking. In most camps, $16.00 per week is charged for meals and $4.00 per week for rent.

The majority of the camps in this area are of concrete block construction and many have centralized forced air heating.

The crew leaders encountered in this county appeared to be interested in maintaining good camps and seemed to have excellent control of their employees. This was very obvious from the condition of the grounds and living units.

All children of school age living at these camps were in school.

STATE OF NEW YORK

IN ASSEMBLY
January 21, 1964

Intro. 2522
Print. 2537

Introduced by Mr. WATERS—read once and referred to the Committee on Labor and Industries

AN ACT

To amend the labor law, in relation to voluntary elections of employers to be subject to provision of the unemployment insurance law

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The opening paragraph of subdivision one of section five hundred sixty-one of the labor law, as last amended by chapter seven hundred twenty-eight of the laws of nineteen hundred fifty-two, is hereby amended to read as follows:

Any employer, *including agricultural labor engaged in sorting, grading and packing fruits and vegetables in connection with packing-houses for delivery to a terminal market,* not otherwise liable for contributions under this article as an employer may become liable therefor.

§ 2. This act shall take effect immediately.

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

STATE OF NEW YORK

Intro. S. 606
Print. S. 606

Intro. A. 1300
Print. A. 1300

SENATE—ASSEMBLY

(Prefiled)

January 8, 1964

IN SENATE—Introduced by Mr. VAN LARE—(at the request of the Joint Legislative Committee on Migrant Labor)—read twice and ordered printed, and when printed to be committed to the Committee on Motor Vehicles and Transportation

IN ASSEMBLY—Introduced by Mr. WATERS—(at the request of the Joint Legislative Committee on Migrant Labor)—read once and referred to the Committee on Motor Vehicles

AN ACT

To amend the vehicle and traffic law, in relation to licensing of operators and chauffeurs who are non-resident seasonal farm laborers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph a of subdivision five of section two hundred fifty of the vehicle and traffic law, as amended by chapter seven hundred twenty-eight of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

a. The provisions of this chapter relative to the licensing of operators and chauffeurs shall not apply to a non-resident of the state who is a seasonal farm laborer, for a period extending from the first day of [June] *April* to and including the thirtieth day of November in each year, provided that the said person is of the age of eighteen years and upwards who shall be a non-resident of this state, and a resident of a state, territory, federal district or foreign country having laws, with which such person has currently complied, which required such person, in order to operate a motor vehicle or motorcycle therein, to be licensed.

§ 2. This act shall take effect April first, nineteen hundred sixty-four.

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

STATE OF NEW YORK

Intro. 4594
Print. 4856

IN ASSEMBLY

February 17, 1964

Introduced by Mr. TYLER—(at the request of the Joint Legislative Committee on Migrant Labor)—read once and referred to the Committee on Motor Vehicles

AN ACT

To amend the vehicle and traffic law, in relation to the registration of motor vehicles, motorcycles and trailers owned by non-resident seasonal farm laborers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph a of subdivision four of section two hundred fifty of the vehicle and traffic law, is hereby amended to read as follows:

a. Except as otherwise provided in subdivision three of this section, the provisions of this chapter relative to the registration of motor vehicles, motorcycles and trailers and the display of registration numbers shall not apply to a motor vehicle, motorcycle, or trailer owned by a non-resident of the state who is a seasonal farm laborer, for a period extending from the first day of [June] *April* to and including the thirtieth day of November in each year, provided that the owner thereof shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to registration of such motor vehicle, motorcycle or trailer, as the case may be, and the display of registration numbers thereof, and provided further that the owner thereof shall furnish proof to the commissioner that such owner has in effect with respect to such motor vehicle an automobile liability policy issued by an insurance company authorized to do business in this state or by an unauthorized insurer authorized to transact business in the jurisdiction of his residence in at least the amount of ten thousand dollars because of bodily injury to or death of one person in any one accident and, subject, to said limit for one person, in at least the amount of twenty thousand dollars because of bodily injury to or death of two or more persons in any accident, and in at least the amount of five thousand dollars because of injury to or destruction of property of others in any one accident.

§ 2. This act shall take effect April first, nineteen hundred sixty-four.

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

60

STATE OF NEW YORK

Print. 4410, 5666
Intro. 4247

IN ASSEMBLY

February 10, 1964

Introduced by Mr. LIFSET—(at the request of the Joint Committee on Migrant Labor)—read once and referred to the Committee on Motor Vehicles—committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT

To amend the vehicle and traffic law, in relation to overtaking and passing buses used in the transportation of children and supervisory personnel to and from camps and to and from child care centers maintained for children of migrant farm and food processing laborers, and repealing chapter nine hundred seventy-three of the laws of nineteen hundred sixty-three, entitled "An act to amend the vehicle and traffic law, in relation to buses used in the transportation of children and supervisory personnel to and from child care centers maintained for children of migrant farm and food processing laborers" and chapter nine hundred seventy-five of the laws of nineteen hundred sixty-three, entitled "An act to amend the vehicle and traffic law, in relation to buses used in the transportation of children and supervisory personnel to and from camps"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eleven hundred seventy-four of the vehicle and traffic law is hereby amended by adding thereto a new subdivision to be subdivision (e), to read as follows:

(e) Any bus used in the transportation of children and supervisory personnel to and from camps or to and from child care centers maintained for children of migrant farm and food processing laborers, when marked and equipped as provided in subdivision twenty of section three hundred seventy-five of this chapter, shall be deemed a school bus within the meaning and for the purposes of subdivisions (a) and (b) of this section and such children and supervisory personnel shall be entitled to the same protection and safeguards as are afforded by such subdivisions to school children in school buses.

§ 2. Chapter nine hundred seventy-three of the laws of nineteen hundred sixty-three, entitled "An act to amend the vehicle and traffic law, in relation to buses used in the transportation of children and supervisory personnel to and from child care centers maintained for children of migrant farm and food processing laborers," is hereby repealed.

§ 3. Chapter nine hundred seventy-five of the laws of nineteen hundred sixty-three, entitled "An act to amend the vehicle and traffic law, in relation to buses used in the transportation of children and supervisory personnel to and from camps," is hereby repealed.

§ 4. This act shall take effect immediately and shall be retroactive to and shall be deemed to have been in full force and effect from and after October first, nineteen hundred sixty-three.

NOTE.--Chapters 973 and 975 of the laws of 1963, proposed to be repealed by this bill, require buses used in the transportation of children and supervisory personnel to and from camps and to and from child care centers maintained for children of migrant farm and food processing laborers to be equipped as school buses.

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

STATE OF NEW YORK

Intro. S. 1017
Print. S. 1017

Intro. A. 1760
Print. A. 1760

SENATE—ASSEMBLY

(Prefiled)

January 8, 1964

IN SENATE—Introduced by Mr. VAN LARE—(at the request of the Joint Legislative Committee on Migrant Labor)—read twice and ordered printed, and when printed to be committed to the Committee on Labor and Industry

IN ASSEMBLY—Introduced by Mr. WATERS—(at the request of the Joint Legislative Committee on Migrant Labor)—read once and referred to the Committee on Labor and Industries

AN ACT

To amend the workmen's compensation law, in relation to coverage of farm laborers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision four of section two of the workmen's compensation law, as last amended by chapter four hundred fifty-six of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

4. "Employee" means a person engaged in one of the occupations enumerated in section three or who is in the service of an employer whose principal business is that of carrying on or conducting a hazardous employment upon the premises or at the plant, or in the course of his employment away from the plant of his employer; "employee" shall also mean for the purposes

of this chapter civil defense volunteers who are personnel of volunteer agencies sponsored or authorized by a local office under regulations of the civil defense commission to the extent of the provisions of groups seventeen and nineteen; and for the purposes of this chapter only a newspaper carrier boy under the age of eighteen years as defined in section thirty-two hundred nineteen-a of the education law, and shall not include [farm laborers or] domestic servants except as provided in section three of this chapter, and except where the employer has elected to bring such employees under the law by securing compensation in accordance with the terms of section fifty of this chapter. The term "employee" shall not include persons who are members of a supervised amateur athletic activity operated on a non-profit basis, provided that said members are not also otherwise engaged or employed by any person, firm or corporation participating in said athletic activity, *nor shall it include the spouse or minor child under the age of eighteen years of an employer who is a farmer unless the services of such spouse or minor child shall be engaged by said employer under an express contract of hire, nor shall it include farm laborers except as provided in group fourteen-b of section three of this chapter. If a farm labor contractor recruits or supplies farm laborers for work on a farm, such farm laborers shall for the purposes of this chapter be deemed to be employees of the owner or lessee of such farm.* The term "employee" shall not include baby sitters as defined in subdivision two of section one hundred thirty-one of the labor law or minors fourteen years of age or over engaged in casual employment consisting of yard work and household chores in and about a one family owner-occupied residence or the premises of a non-profit, non-commercial organization, not involving the use of power-driven machinery. The term "employee" shall not include persons engaged by the owner in casual employment consisting of yard work, household chores and making repairs to or painting in and about a one family owner-occupied residence.

§ 2. Group thirteen of subdivision one of section three of such law, as last amended by chapter three hundred seventy-five of the laws of nineteen hundred forty-three, is hereby amended to read as follows:

Group 13. Work at:

Awning erection
Blasting
Bleaching
Boiler covering
Bookbinding
Booming timber or logs
Bottling
Bricklaying
Building, care, maintenance and salvage
Cable laying or repair, underground
Canning
Carpentry
Glazing
Grave digging
Heating
Ice distribution, harvesting or storage
Landscape gardening

Lighting
Lithographing
Logging
Lumbering [, except operations by a farmer on his own farm or a farm tenant on a farm rented by him solely for the production of firewood or logs cut to dimension lengths and the transportation of the same to market or to a point of shipment for sale to the general public, provided not more than four persons are engaged by a single employer]
Marble cutting
Marine wrecking
Milling
Mining
Multigraphing
Clam cultivating, harvesting, opening or planting
Cleaning clothes, streets, windows, or buildings
Concreting
Cork cutting
Decorating
Disinfecting
Dredging
Dyeing
Electrotyping
Embossing
Engraving
Excavation
Oyster cultivation, planting, harvesting or opening
Ore reduction
Painting
Papering
Paving
Photo-engraving
Picture hanging
Pile driving
Pipe covering
Plastering
Plumbing
Printing
Rafting
Renovating
River-driving
Road Building
Roofing
Salvaging of buildings or contents
Sea food cultivation, harvesting or planting
Shaft sinking
Ship building
Smelting
Stereotyping
Stone crushing, cutting, dressing, grinding or setting
Storage of all kinds and storage for hire
Street cleaning or construction
Structural carpentry
Subaqueous construction
Subway construction
Tree moving, planting, trimming and surgery
Tunneling
Undertaking
Upholstering
Warehousing
Well digging or drilling
Window cleaning
Wrecking, marine

§ 3. Subdivision one of section three of such law is hereby amended by inserting therein a new group, to be group fourteen-b, to read as follows:

Group 14-b. Employment as a farm laborer as provided herein. A farmer shall provide coverage under this chapter for all farm laborers employed during a period of twelve consecutive months beginning April first of any calendar year if, during the preceding calendar year, the cash remuneration paid to all farm laborers aggregated five hundred dollars or more.

§ 4. Group eighteen of subdivision one of section three of such law, as last amended by chapter two hundred thirty-three of the

laws of nineteen hundred sixty-one, is hereby amended to read as follows:

Group 18. All other employments, except persons engaged in a teaching or nonmanual capacity in or for a religious, charitable or educational institution, notwithstanding the definition of employment in subdivision five of section two, not hereinbefore enumerated, carried on by any person, firm or corporation in which there are engaged or employed one or more employees regularly, in the same business or in or about the same establishment either upon the premises or at the plant or away from the plant of the employer, under any contract of hire, express or implied, oral or written, except farm laborers [,] *and* domestics other than those within the coverage of this chapter pursuant to [group] *groups fourteen-b and* twelve *respectively* of this subdivision, private or domestic chauffeurs other than those employed as such in cities of two million inhabitants or over, unless the employer has elected to bring such employees under the law by securing compensation in accordance with the terms of section fifty of this chapter and persons engaged in voluntary service not under contract of hire. A duly ordained, commissioned or licensed minister, priest or rabbi, a sexton, a christian science reader, or a member of a religious order, shall not be deemed to be employed or engaged in employment under the terms of this section. [All persons employed, either by direct employment or by contract, in logging or wood cutting operations, conducted by a farmer on his own farm, consisting of felling timber, cutting it into dimension lengths and taking it to market or to a point for shipment or transportation, shall not be deemed to be employed or engaged in employment under the terms of this section, provided not more than four persons are so employed by such farmer at one time and provided further that this exemption shall not extend to the sawing of such timber or wood into lumber.] Recipients of charitable aid from a religious or charitable institution who perform work in or for the institution which is incidental to or in return for the aid conferred, and not under any express contract of hire, shall not be deemed to be employed or engaged in employment under the terms of this section. All persons who are members of a supervised amateur athletic activity operated on a non-profit basis shall not be deemed to be employed or engaged in employment under the terms of this section, provided that said members are not also otherwise engaged or employed by any person, firm or corporation participating in said athletic activity. The terms "religious, charitable or educational institution" mean a corporation, unincorporated association, community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or individual.

§ 5. This act shall take effect October first, nineteen hundred sixty-four.

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.

STATE UNIVERSITY OF NEW YORK
UPSTATE MEDICAL CENTER
766 IRVING AVENUE
SYRACUSE 10, NEW YORK
College of Medicine
Department of Pediatrics

January 7, 1964

MRS. MYRTLE Q. PALMER, *Research Director*
Joint Legislative Committee on Migrant Labor
State Capitol Building
Albany, New York

DEAR MRS. PALMER:

Thank you for your recent letter; the continuing interest of the Joint Legislative Committee is encouraging and gratifying. The Upstate Medical Center enlarged its migrant clinic program somewhat during the past summer, working with Dr. Robert Bacorn and Dr. La Verne Campbell of the State Health Department. These gentlemen again organized bi-weekly clinics in Wayne and Cayuga Counties, respectively, in which we carried out pediatric care and teaching as before. In Wayne County Dr. Bacorn was able to arrange for dental services also which made efficient use of the same clinic schedule and facilities. The Sodus clinic averaged 17 patients per session, excluding routine immunizations.

At King Ferry in Cayuga County approximately 100 children were seen during the summer. In addition, Dr. Donald Samson of the Upstate Medical Center's Department of Medicine conducted weekly evening clinics for adults. These were also attended on occasion by a dentist and by Dr. Richard Aubrey of the Department of Obstetrics and Gynecology.

The Pediatric Department again found the migrant clinic program a worth-while and gratifying enterprise. Those students who participated gained valuable experience. Our efforts were satisfactory to the Health Department and well received by our patients, the migrants, from whom we had good cooperation and obvious appreciation. We plan to continue and, if possible, to extend the program in cooperation with the State Health Department. The advantages of this operation to all concerned, outlined in some detail in last year's letter, seem as cogent as ever. I should be very happy to provide any further information which the Committee desires.

Very truly yours,

WILLIAM H. BERGSTROM, M.D.
Professor
Department of Pediatrics

WHB: pao
cc: Dr. Campbell
Dr. Bacorn

STATE UNIVERSITY OF NEW YORK
UPSTATE MEDICAL CENTER
SYRACUSE 10, NEW YORK

Department of Medicine
University Hospital of the Good Shepherd
150 Marshall Street

January 13, 1964

MRS. MYRTLE Q. PALMER
Research Director
Joint Legislative Committee on Migrant Labor
State Capitol Building
Albany, New York

DEAR MRS. PALMER:

I am writing you this letter to supply you with information concerning participation of the Department of Medicine of the Upstate Medical Center in a Migrant Labor Clinic which we conducted this past summer.

As you know, Dr. William Bergstrom of the Department of Pediatrics has been active in this field for several years and, while we have been interested in working with migrants, it was not possible for us to make all of the necessary arrangements until this past summer. Dr. LaVerne Campbell, Cayuga County Health Commissioner, set up a program at King Ferry in which we cooperated by providing internists, a gynecologist, and a dentist. The latter two professionals did not attend all clinics.

We were interested in developing this type of clinic for two major reasons. The first being the fact that we have been aware of the need for medical care by the migrant laborers and secondly we have felt that this fairly sizeable group of people would make very excellent teaching material for training of residents in Internal Medicine.

We elected to run our clinic on Thursday evenings since that was the day during the week when the laborers were most apt to be finished with their work by 6 or 7 P. M. We met weekly beginning in mid-July and running through mid-September. From our standpoint this initial experience was most gratifying. We saw from 18 to 40 patients each week, all of whom had significant and important health problems. Some could be handled through the clinic and others required Medical Center referral for diagnosis and treatment. The clinical material was excellent from the standpoint of its teaching value and a great deal of enthusiasm was engendered in the resident staff that was able to attend the clinic.

As, I am sure you are aware, there are problems in extending care to its most desirable level. We, of course, cannot practice the same level of medicine in a field clinic and it does require considerable expenditure of time on the part of professional people

in order to travel to these somewhat remote clinics. Obviously we could manage much better by these patients if they could be seen in our Out-Patient Departments and in the hospital when necessary, but there are major problems in terms of available transportation for the patients. There are many other aspects of this experience which have been profitable and exciting to us and it is our hope that we will be able to extend this type of experience to more people in more locations than we did this past summer.

Since many Departments of the State and Local Government are involved in helping migrants, it is my sincere hope that your Committee can facilitate interdepartmental cooperation so that we who are interested in helping these people can supply more help to them.

Sincerely,

DONALD C. SAMSON, M.D.
Associate Professor of Medicine

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